

Background Materials – October 3, 2022– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 9/30/22

Cable Access Channel 15 – Cable Access Channel 15 – The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 8/8/22, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://southhadley.org/DocumentCenter/View/9842/Open-Comment-Period-Policy---As-Adopted-2022-08-08>

Action Needed: Allow members of the public to offer comments to the Board.

AGENDA ITEM #2 Minutes

Senior Clerk Colleen Canning will forward minutes separately.

Action Needed: Vote to approve the minutes.

AGENDA ITEM #3 Correspondence

A list of correspondence received will be sent prior to the meeting.

Action Needed: No action needed.

6:30 PM AGENDA ITEM #4 1 Conti Drive – New Commercial Buildings Site Plan Review and Stormwater Permit

Project application is online here: [Conti Drive \(1\) - New Commercial Buildings | South Hadley, MA - Official Website](#)

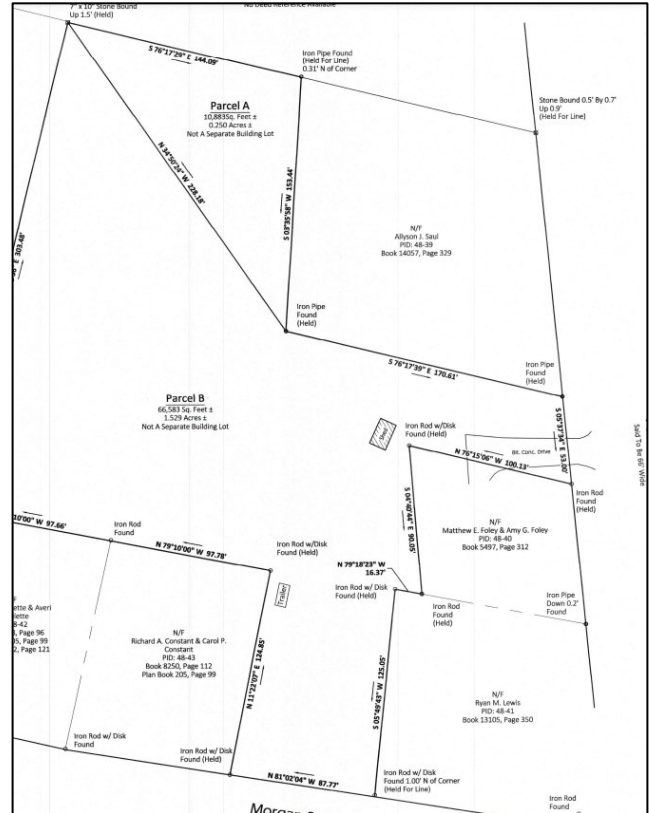
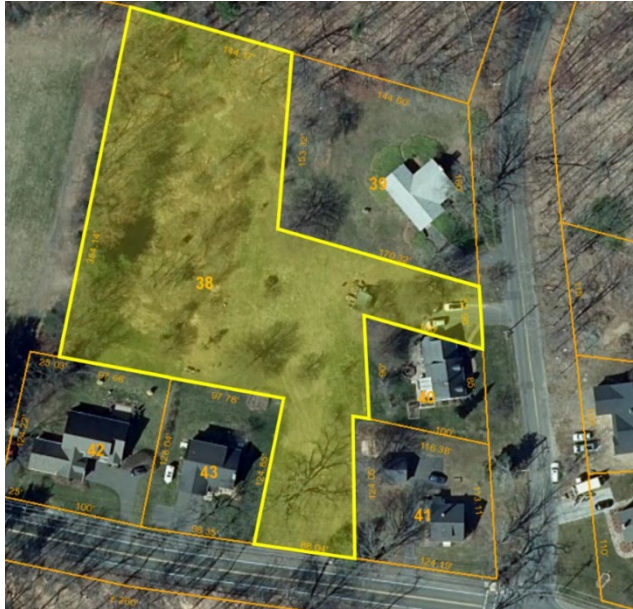
On 9/28/22, the applicant's representative Michael Schafer of Huntley Associates requested a continuance of the public hearing until 10/17/22 at 6:30PM to allow the project to be reviewed by the Conservation Commission prior to submitting revised plans to the Board. I think this is a good strategy for all and recommend the Board grant the request for a continuance.

RECOMMENDED MOTION: Move to continue the public hearing for Site Plan Review and a Stormwater Permit for 1 Conti Drive to October 17, 2022 at 6:30PM.

AGENDA ITEM #5 Morgan Street ANR – Assessor’s Map #48, Parcel #38

Project application is online here:

<https://www.southhadley.org/DocumentCenter/View/9941/Morgan-St-ANR---Mount-Holyoke-College?bidId=>



The Trustees of Mt. Holyoke College have submitted an Application for Endorsement of a plan believed not to require subdivision approval, a.k.a. Approval Not Required (ANR) plan for an approximately 1.76 acres parcel located at the northwest corner of the intersection of Morgan and Park Streets. The ANR proposes to create a new 0.25 acre “Parcel A” in the northeast corner of the lot, which will be sold to the abutter on Park Street, Assessor’s Map 48, Parcel 39.

ANR Standards for Approval

There are three standards for ANR approval:

1. **Type of Way:** Both Morgan and Park Streets are town-maintained roads for which Chapter 90 funds are received, and thus, meet the standard as publicly maintained roads.
2. **Minimum frontage requirements for zoning district:** The property is within the RA2 zoning district. Minimum lot size is 12,500 sq.ft. and minimum frontage is 100’. The existing parcel has frontage on both Morgan Street (88’) and Park Street (53’). Because this is existing frontage and is not proposed to be reduced through the ANR, this standard is satisfactorily met for endorsement. Additionally, since Parcel B exceeds the minimum lot size of 22,500SF (66,583SF), and Parcel A will be sold to the abutter to be

combined to that parcel (23,716SF existing + 10,883SF), and thus, both parcels will then exceed the minimum lot size which supports endorsement of the ANR plan. The ANR plan also includes a notation that Parcel A is “not a separate building lot”.

3. Vital access: Because both Morgan and Park Streets are publicly maintained, vital access to Parcel B is provided. Because Parcel A will be sold to the abutter and subsequently merged with Map 48, Parcel 39, the vital access standard is met for that parcel as well.

Action Needed: The Board must either endorse the plan or file a notice of denial with the Town Clerk. If the Board votes to endorse the ANR Plan, the Board should also authorize the Director of Planning & Conservation to sign the plan on the Board’s behalf.

Recommended Motion: *Move to endorse the Approval Not Required plan for Parcels A and B, located at the northwest corner of the intersection with Morgan and Park Streets, Assessor’s Map 48, Parcel 38; and, authorize the Director of Planning and Conservation to sign the ANR plan on behalf of the Planning Board.*

AGENDA ITEM #6 Discussion on Short Term Rental Bylaw

Based on feedback provided at the last meeting, I have developed drafts of the following which are attached to the Background Materials:

Proposed STR Permitting Path Chart

Attachement A - Draft Zoning Bylaw and Use Regulations Schedule

Attachment B – Draft General Bylaw

Map of zoning districts and short term rental locations

Please review the materials and come prepared to discuss content and any proposed edits. The following discussion items also need further consideration:

Zoning Bylaw –

1. Which zoning districts STR will be allowed and by what means (ie. SP, SPR, by-right, prohibited)?
2. Should non-owner occupied STR be allowed in commercial zoning districts?

General Bylaw –

1. What total number of Rental Registration Licenses should be issued? I have not heard back from Town Counsel on what type of formula or justification is needed to determine the cap.

Ideally, after this discussion, the Board can come to consensus on final draft bylaws. The Board should then schedule a Public Hearing to receive public comment. The earliest date we could hold the public hearing, due to public notification requirements, is November 7th. Based on public comment, the Board would amend the draft bylaws and finalize them at the November 21st meeting. This timeline may not align us with the pending Fall Town Meeting tentatively scheduled for 11/30/22. I’m checking with the Town Clerk to see if the warrant can be set without final warrant articles and a report to Town Meeting drafted. Also, the Selectboard hasn’t set the date yet, and plans to do so at their next meeting.

Action Needed: Discuss draft bylaws and work through any proposed edits. Schedule a public hearing.

AGENDA ITEM #7 Planning & Conservation Department Report on Planning Projects and Development Updates

Master Plan Annual Forum – Friday, 11/4 @ 8:30am – 1pm

A “Save-the-Date” has been sent out to Town departments, boards, committees and commissions. The event will be held at the South Hadley Public Library. Space is limited so registration will be restricted to 60 people. One representative from each board, committee, commission and department is asked to attend. Registration will open in early October, and a link for registration will be emailed at that time.

Planning and Conservation Department Webpage Redesign

Colleen has updated the webpage and will walk us through a tour of the new site. It is still a work in progress but the main framework is in place, and materials and resources used by the Board and the public are uploaded and live.

<https://southhadley.org/1124/Planning>

Ecode Updates Stormwater Bylaw

The updated Chapter 200 Stormwater Bylaw, adopted at ATM on 5/11/22 (Warrant Article #16) has been approved by the Attorney General’s Office and is now in Ecode under “New Laws”: [LF1628492.pdf \(ecode360.com\)](#) Official updates to Ecode only happen once per year so until that happens, staff need to direct applicants to the newly adopted bylaw.

Accessory Dwelling Units (ADU) Bylaw

I am pulling together sample ADU bylaws from other communities to begin our discussion on this for South Hadley. In terms of timeframe, we currently have planned to take up updates to the Subdivision Regulations and Flexible Development Bylaw after we finish the Short Term Rental Bylaws. However, due to the high level of interest in ADUs, and the nexus with the Housing Production Plan Update, I’m recommending we take up work on an ADU bylaw next, and move the subdivision regs and Flexible Development Bylaw out until after the ADU bylaw. It's possible we could get all three completed this winter and lined up for Annual Town Meeting in the Spring. The Board should determine if this is the schedule and order of priorities they want to pursue.

Next Meetings

10/17

11/7

11/21

12/5

12/19

I recommend the Board set meeting dates for January to March. First and third Mondays are as follows:

1/9 (1/2 is New Year's Day)

1/23 (instead of 1/16 so as not to have back to back meeting weeks)

2/6

2/20

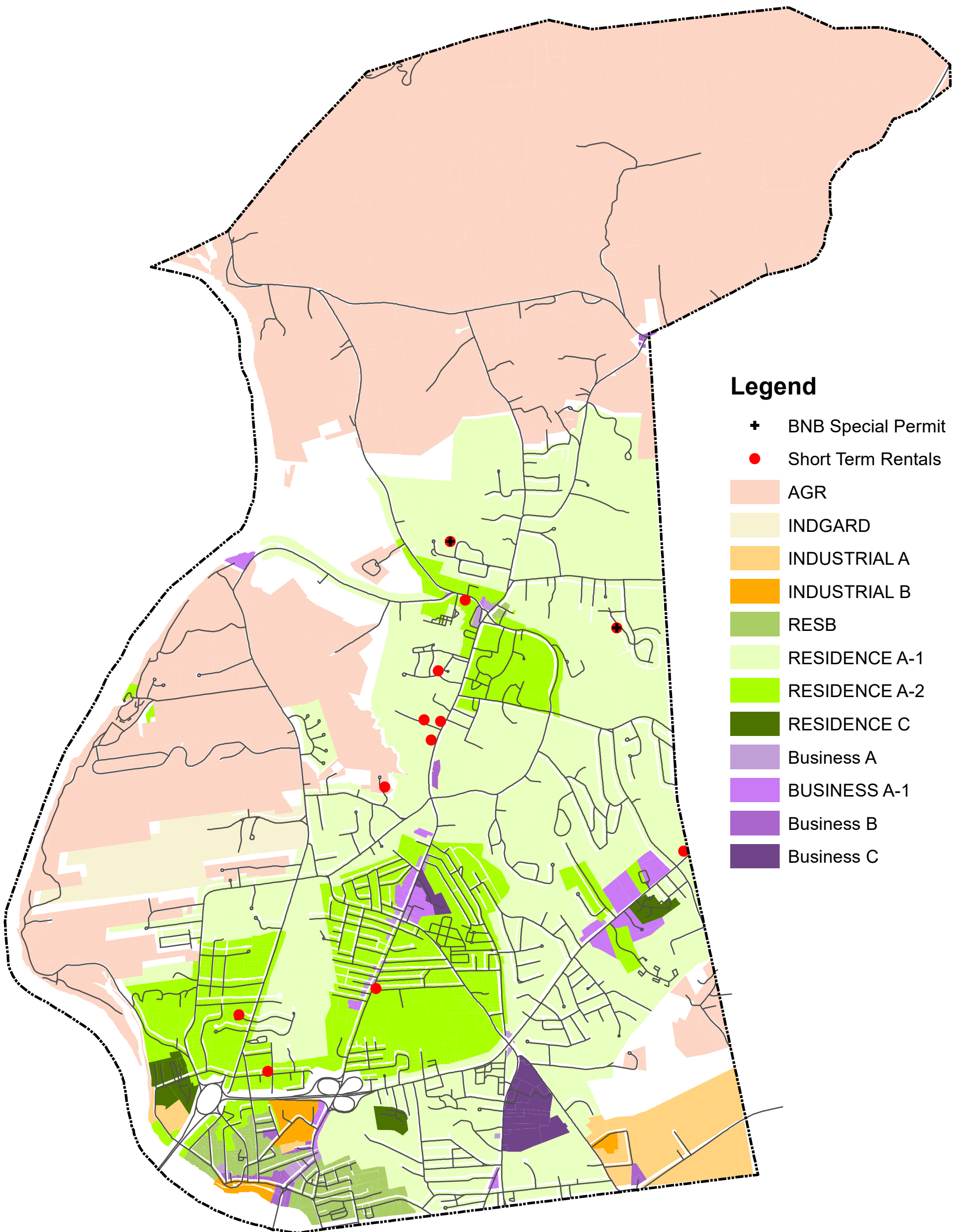
3/6

3/20

AGENDA ITEM #8 Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No new business had been submitted to me as of today.

Short Term Rentals and Zoning



Legend

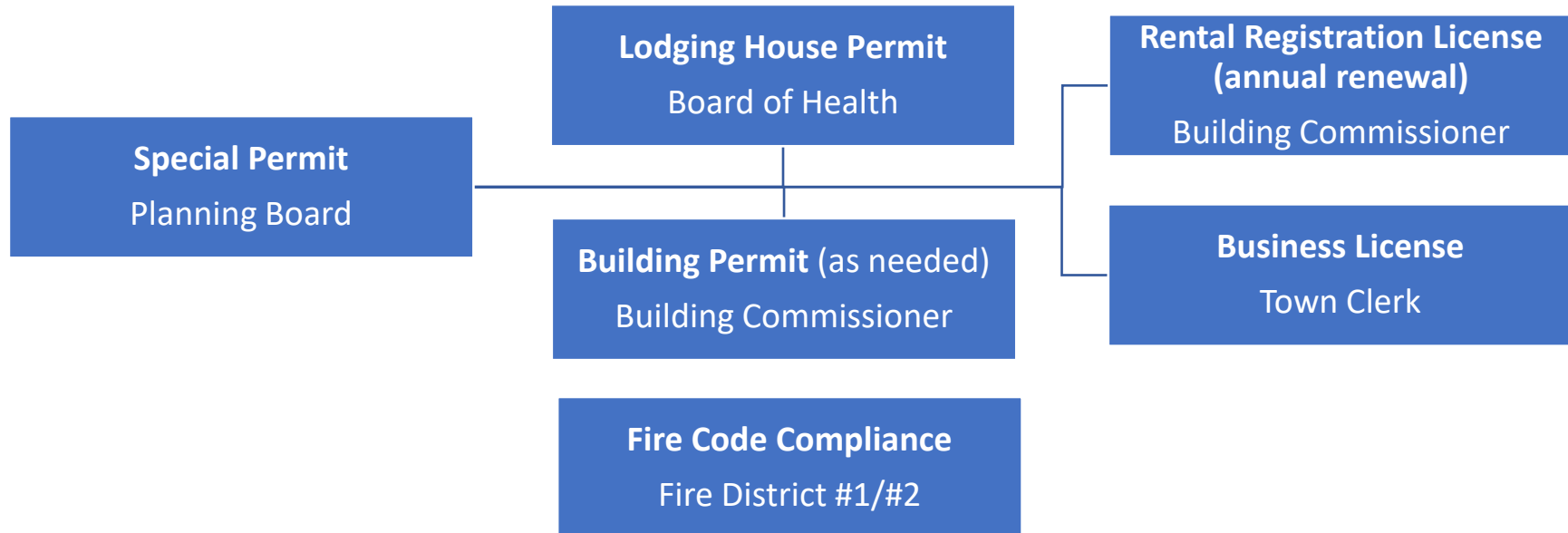
- + BNB Special Permit
- Short Term Rentals
- AGR
- INDGARD
- INDUSTRIAL A
- INDUSTRIAL B
- RESB
- RESIDENCE A-1
- RESIDENCE A-2
- RESIDENCE C
- Business A
- BUSINESS A-1
- Business B
- Business C



0 0.25 0.5 1
Miles

SOURCE:
L3 Parcels - MassGIS
Zoning Districts - Planning and Conservation Department
Town Parcels - South Hadley Assessor
Short Term Rentals - Planning and Conservation Department

Short Term Rental Regulation – Proposed Permitting Path
September 27, 2022



Proposed process for regulation of Short Term Rentals within South Hadley

Applicant seeks a Special Permit from the Planning Board. Planning Board grants (or denies) the Special Permit, with Conditions, at a minimum, Conditions require the following:

- a) Obtain a Lodging House Permit from the Board of Health.
- b) Meet all building and fire code requirements for the rental unit. Contact the Building Commissioner and Fire District Chief to obtain necessary permits and authorizations.
- c) Obtain a Business License for the rental business from the Town Clerk.
- d) Obtain an annual Rental Registration License from the Building Commissioner. Renew annually.

General Bylaw – Chapter 136 - Residential Short-Term Rental Units

§ 136-1 Purpose.

This bylaw is adopted in accordance with the Town of South Hadley's Home Rule Authority, in furtherance of the following public purposes:

- A.** To protect the health, safety, and welfare of tenants and other citizens of the Town of South Hadley by monitoring and enhancing compliance with basic life safety and sanitary codes through the registration and licensing of residential Short-Term Rental Units.
- B.** To ensure safe and sanitary conditions in South Hadley's rental housing stock.
- C.** To provide clear and accessible guidelines for the operation of residential Short-Term Rental Units for tenants, owners, landlords, and neighbors, and to extend awareness of related Town bylaws and health regulations related to operation of a rental property and those regulations related to noise, alcohol and nuisance behaviors.
- D.** To establish and expand awareness of the requirements for use and maintenance of rental housing exteriors and grounds, including parking requirements.
- E.** To ensure awareness of and responsibility for occupancy limits in rental units on the part of property owners, managers, tenants, and neighbors.
- F.** To help to stabilize, protect, and enhance the essential characteristics of and quality of life within existing residential neighborhoods for all residents.

§ 136-2 Registration & License Required.

Except as provided in § 136-4 below, no person, firm, trust, partnership, corporation or other legal entity may rent, or offer to rent, to individuals or households any Short-Term Rental Unit without a license issued by the Building Commissioner.

§ 136-3 Enabling Legislation & Regulations.

All Short-Term Rental Units regulated hereunder shall comply with all applicable local bylaws and regulations, as well as all state laws and health, building and fire codes. All inspections, enforcement, and other actions taken under these regulations are authorized under those applicable local and state laws and regulations, as amended.

§ 136-4 Applicability & Exemptions.

Licenses shall be required of all residential properties containing Short-Term Rental Units, or offered for that purpose, except for the following:

- A. Lodging Facilities. Hotels, motels, inns, hostels, or bed and breakfasts.
- B. Halfway Houses & Group Homes. Residential facilities authorized and operated under state and federal law, congregate or similar group housing for the elderly or disabled, half-way houses for persons with substance abuse problems, congregate living arrangements for persons with disabilities, or other similar housing facilities operated under license by the Commonwealth of Massachusetts.
- C. Short-Term Rental Exception. This bylaw shall not apply to the Short-Term Rental of a Dwelling Unit during a pending sale of the property by the Owner-Occupant.

§ 136-5 Definitions.

Under these regulations, the following terms have the meanings indicated:

AFFORDABLE HOUSING UNIT

Definition TBD

CODE OFFICIAL

The Building Commissioner/Zoning Enforcement Officer of the Town of South Hadley, the Health Director, the Police Chief, Fire Chief, or their designees and/or any of the inspectors or officers authorized to enforce the law, regulations and codes listed under Section 3 of this bylaw. The specific Code Official in each instance will be the official duly designated under the relevant statute, bylaw, or regulation.

DWELLING UNIT

The room or group of rooms within a dwelling used or intended for use by one family, or household for living, sleeping, cooking and eating. Dwelling unit shall also mean a condominium unit.

EMERGENCY

Events or conditions involving natural disasters, fire, or other threats to the health and safety of the residents of a rental property.

OWNER

Every person who alone or jointly or severally with others: (1) has legal title to any building, structure, or property subject to this bylaw, or; (2) has care, charge, or control of any such building, structure, or property in any capacity including but not limited to agent, executor,

administrator, trustee or guardian of the estate of the holder of legal title; or (3) is a lessor under written agreement; or (4) is the mortgagee in possession; or (5) is the recognized agent, trustee or other person with care, charge, or control appointed by the courts.

OWNER-OCCUPANT(S)

One or more natural persons who, in their individual capacity as distinct from any representative capacity, own(s) a whole or undivided interest in fee simple of certain real property and at least one of whom occupies a dwelling unit thereon as his or her principal residence (see definition).

PERSON

An individual, corporation, trust, partnership (including general partnership, limited partnership, and limited liability partnership), and a limited liability company. In addition, any similar entity licensed by law to hold title to real estate shall for the purpose of this by-law be deemed a “person.”

PRINCIPAL RESIDENCE

The primary residence of an individual, family (as defined in the Zoning Bylaw), or property owner, i.e., the home where an owner, and the owner’s family if applicable, resides as their primary dwelling; provided however, that no person shall hold concurrent rights in more than one (1) principal residence, as set forth under MGL Ch. 188, Section 1, as amended. Regular or periodic interruptions in residency shall not be considered to change the status of principal residency where such interruptions are the result of illness, catastrophe, professional or academic scheduling, or other temporary reasons for absence which do not affect basic indices of residency. For the purposes of this Bylaw, principal residency shall be determined by the Code Official based upon a preponderance of evidence, including but not limited to the following indicia of residency and address, as applicable: declaration of homestead, filing of state and federal income taxes, voter registration, annual street list, driver's license, motor vehicle registration, mortgage, mailing address, and telephone listing (if any).

SHORT TERM RENTAL

Any rental of all or part of a Dwelling Unit for 28 consecutive days or less, including home-sharing and vacation rentals.

§ 136-6 Conditions

Licenses for Short-Term Rental use are conditioned upon the following:

- A. Only spaces intended for human habitation may be offered for rent as Short-Term Rentals. For example, the applicant cannot offer for rent an accessory structure such as a shed or garage.
- B. Only legally established Dwelling Units may be offered for rent as Short-Term Rentals.

- C. Short-Term Rentals may not be advertised using any exterior signs or displays.
- D. All Short-Term Rental advertisements must include the license number issued by the Town.
- E. Only Owner-Occupants may offer all or part of their Principal Residence as a Short-Term Rental.
- F. Licensees shall maintain liability insurance appropriate to cover Short-Term Rental use.
- G. Short-Term Rentals may only be rented to one party or group at a time, individual rooms may not be rented to separate, unrelated parties or groups at the same time.
- H. The number of individual bedrooms made available for Short-Term Rentals within a Dwelling Unit shall not be greater than the number of lawful bedrooms in the Dwelling Unit.
- I. Renting for less than Twenty-Four (24) hours is prohibited.
- J. Commercial meetings and uses are prohibited.

§ 136-7 Affordable Housing Units, or units otherwise rent controlled, are not eligible for Short-Term Rental Licensing. **Licensing.**

A. Application Process and Requirements.

License applications shall be made on forms approved by the Town, and shall provide such information as the Building Commissioner shall deem reasonable and appropriate. Completed applications shall be submitted to the appropriate Building Department. Complete license applications shall be reviewed, and licenses shall be issued within fourteen (14) working days from the date of submission. A license application shall identify the total number of rental units on the property.

Information required as part of a license application shall include:

- (1) Contact Information. Name(s) and current contact information, including but not limited to mailing address, telephone number and email address, for all owners, or agent of the owner, and person who can be contacted 24 hours a day/ 7 days a week in case of Emergency.
- (2) A list of each room, including bedrooms, offices, dens, living rooms, kitchen, sunroom, in the Dwelling Unit. The list shall include for each room: (i) whether or not the room will be rented; (ii) the maximum number of overnight guests that will be allowed.
- (3) An affidavit certifying that the Owner will comply with all of the provisions of the Residential Short-Term Rental Property Bylaw.
- (4) Compliance Through Self-Certification. Evidence of current compliance with all applicable local zoning and regulations, as well as state health, fire and building codes,

shall be provided through submission of an Owner's Self-Inspection and Certification Checklist provided by the Town.

- (5) Complete & Accurate Information Required. No incomplete application will be accepted. It shall be a violation of this Bylaw for anyone to knowingly provide false or misleading information on an application, and may constitute grounds for fines and other penalties hereunder.
- (6) Certification by the Applicant that the Applicant is the Owner Occupant of the Principal Residence which is the subject matter of the Application.

B. Renewal.

Licenses shall be valid for a period to begin on July 1 and shall end on June 30, regardless of when a license is applied for or approved and issued. Completed applications for license renewals shall be submitted and received by June 15th of each calendar year.

C. License Posted.

A license shall be conspicuously posted and maintained within the premises in a common area or area as is necessary to be visible to tenants and inspectors.

D. Transferability.

Licenses shall not be transferable upon a change of ownership.

E. Limits on Number of Licenses.

Limits on the total number of licenses within South Hadley shall be X active units or less at any one time.

§ 136-8 Inspections & Complaints.

- A. Self-Certification Program. Owners of Short-Term Rental property governed by this bylaw shall self-inspect and certify their properties as required under this section. Nothing in the Self-Certification program shall limit the Town's authority or the authority and/or discretion of the Code Official to investigate and inspect a property in response to a complaint or for other good cause, or to compel abatement of any violation under this bylaw in a manner consistent with or required by the laws of the Commonwealth.

Owner Self-Inspection & Certification. Unless inspected by local, state or federal government officials, an owner or local agent shall conduct an annual inspection of the property, using a Self-Certification Checklist provided by the Town. The owner or agent shall sign the Checklist indicating, that the information contained therein is complete and accurate as of the date of said annual inspection, and shall submit the Checklist and any required materials along with the application for annual renewal of the license for the property in question. Any false statements or information provided on the Checklist shall constitute a violation of this bylaw for which the Owner shall be responsible.

B. Complaints & Response Process.

Upon receipt of a complaint or notice from any person alleging that the condition, operation, or use of a rental unit or property is in violation of any law or State or local requirement, including but not limited to South Hadley General Bylaw Chapter 179 Nuisances, or of any violation of this Bylaw, the Code Official shall conduct an inspection of a premise within a reasonable amount of time. Inspections shall be as scheduled by the Code Official. Inspections shall be conducted in accordance with all applicable local and state laws, regulations and codes, in a manner consistent with the laws of the Commonwealth. Subject to the above limitation, all rental units are subject to inspection upon complaint or request by a tenant. Issuance of a license to an owner does not preclude tenants' right to file a complaint with the Town, to which the Town must respond with an inspection in compliance with the provisions of state law and regulations.

The licensee shall make a good faith effort to arrange access by authorized Town personnel to any licensed rental property for the purpose of conducting inspections within twenty-four (24) hours of receiving a request.

§ 136-9 Tenant Information.

The Owner shall be required to distribute to tenants, or maintain documents on the premises for use by the tenants, the following information: (1) instructions for disposal of trash/waste per the Town's rules and regulations; (2) an emergency-exit diagram; (3) contact information for the Owner or Agent who is available to respond to all emergencies and problems which may arise during the rental period; and (4) a copy of the license.

§ 136-10 Records.

The Licensee shall keep accurate books and records of all rentals, including the name and address of the tenant, the length of stay and the rent charged. Said records must be made available to the Town upon request and shall be maintained for a period of three years.

§ 136-11 Occupancy Limits.

The maximum number of adult persons who may occupy a dwelling unit shall be determined by State standards for fitness for habitation, the State Building Code and fire regulations.

§ 136-12 Parking.

All existing parking and any new or expanded parking on residential rental properties within the Town of South Hadley shall comply with the South Hadley Zoning Bylaw.

- A. Parking Site Plan.** A Basic Parking Site Plan, as described below, meeting the requirements of this section shall be developed and submitted as part of any license application. Submission of an existing site plan approved under a land use (zoning) license and which accurately represents current on-site parking shall meet the requirements of this section.

- (1) Basic Parking Site Plan Requirements. The parking site plan shall be drawn to scale (1"=20' preferred), as appropriate to the site. Except as may otherwise be required by the Code Official or under the provisions of South Hadley's Zoning Bylaw, Town of South Hadley GIS mapping, available through the Town of South Hadley website, may be used as the base for a site plan developed under this section.
- (2) The Basic Parking Site Plan shall accurately depict the area within which parking is proposed, including:
 - i. Property boundaries
 - ii. Existing driveways and pedestrian walks
 - iii. Dwellings and structures
 - iv. All existing and proposed on-site parking spaces
 - v. Existing and proposed landscaped areas
 - vi. Fencing or other barriers or screening
 - vii. Site features such as trees over 12 inches in diameter (as measured five feet above grade), bedrock outcroppings, steep slopes, and such other site features as may affect parking locations.
- (3) Any provision of this section with regard to Basic Parking Site Plan Requirements may be waived or modified by the Building Commissioner.
- (4) Review. Existing on-site parking and circulation shall be reviewed by Building Commissioner for conformance with existing zoning requirements, including but not limited to parking layout and circulation, paving, parking space dimensions, screening, and, in consultation with the Fire Chief, the sufficiency of circulation and vehicular access for public safety and emergency vehicles.

§ 136-13 Fees.

The Selectmen or designee may set, and periodically revise, a schedule of fees for license applications.

§ 136-14 Enforcement.

- A. Enforcement Personnel. The Building Commissioner and Code Officials.
- B. Enforcement Options. This Bylaw shall be enforced by criminal complaint through a court of competent jurisdiction. In addition, any person committing a violation under this section may be subject to a fine or issued a citation under the noncriminal disposition process of M.G.L. c. 40 section 21D. Furthermore, **in appropriate circumstances, a license may be modified, suspended or revoked**, or a civil action may be initiated to compel compliance herewith.

- C. Fines. The fine for any violation shall be one hundred dollars (\$100.00) for each offense. Each day such violation continues shall be deemed a separate offense. Fines for other applicable local and state laws, regulations and codes, shall be set and assessed in a manner consistent with those laws, regulations, and codes, and the laws of the Commonwealth.
- D. Suspension. The Building Commissioner is authorized to suspend a license. A suspension shall take effect immediately upon the day following the end of the current lease, or upon any termination of the lease prior to that date. Licenses may be suspended if:
- (1) An Owner or Agent has knowingly allowed or assisted in allowing violations of this Bylaw.
 - (2) An Owner or Agent repeatedly refuses or neglects to comply with an order of the Code Official. The Code Official must find that the Owner or Agent has not taken action to achieve compliance of the property and that at least 90 days have expired without compliance since the date of receipt of the Enforcement Order. During this time the Code Official shall inform the Owner or Agent in writing that the license is subject to suspension.

Suspensions shall be as follows:

First Offense – 90 days

Second Offense in a twelve-month period – 180 days

Third Offense in a twelve-month period – 3 years

- E. Immediate Suspension. In those instances where a rental unit has been condemned or deemed an unsafe structure pursuant to health, building and fire regulations, the license shall be immediately suspended and shall remain suspended until as such time the property is found to be habitable and in compliance by the appropriate Code Official.
- F. Owner Responsibility. The Owner shall be responsible for any violations of this Bylaw, including acts or omissions of his/her Agent.

§ 136-15 Appeals.

All appeals must be filed with the Board of Selectmen within 14 days of the decision or enforcement action and shall be heard within 30 days of filing. All appeals shall be heard at a duly noticed public hearing and any party filing such an appeal shall have the right to be represented by counsel.

A decision of the Selectmen shall be final. Further relief of a decision by the Selectmen made under this Bylaw shall be reviewable in a court of competent jurisdiction.

Short Term Rental Zoning Bylaw - DRAFT
September 28, 2022
Anne Capra, Director of Planning and Conservation

Chapter 255. Zoning

Article VII. Supplemental District Regulations

§255-X. Short Term Rentals

A. Purpose and Intent. The operation of short term rentals within residential properties shall be permitted under the provisions of this section. It is the intent of this section to:

1. Ensure the compatibility of the short term rental with the social, cultural, and physical characteristics of the neighborhood;
2. To protect and enhance the essential characteristics and quality of life within existing residential neighborhoods for all residents; and,
3. Allow residents to engage in generation of revenue from their properties while avoiding excessive noise, traffic, and other possible adverse effects of transient populations in residential areas.

B. Special Permit required per Article IX of the Zoning Bylaw.

[Zoning Districts where use is allowed by Special Permit to be noted in Use Regulations Schedule]

The Planning Board, acting as the Special Permit Granting Authority, may approve a special permit allowing for a short term rental in such zoning districts where permitted under the Use Regulations Schedule.

C. A short term rental is defined as all or part of a legally established Dwelling Unit for no more than twenty-eight (28) consecutive days or less, including home-sharing and vacation rentals.

D. Application Requirements. Plans for short term rental need only comply with the following requirements, and not those of Article XII:

1. Plan Requirements: A parcel map showing the following, at a scale determined sufficient by the SPGA:
 - a. Parcel boundaries;
 - b. Location of all structures within the parcel, including the dwelling proposed for the short term rental;
 - c. Location of parking for maximum number of potential occupants in the short term rental, as well as any other occupants of all dwelling units on the parcel.
 - d. Floor plan of the dwelling indicating entrance(s) and layout of the short term rental and all other dwelling units.

ATTACHMENT B

2. A list of each room, including bedrooms, offices, dens, living rooms, kitchen and sunroom in the Dwelling Unit. The shall shall include for each room: (i) whether or not the room will be rented; (ii) the maximum number of overnight guests that will be allowed.
3. Contact Information. Name(s) and current contact information for the owner-occupant of the property subject to the short term rental, including but not limited to mailing address, telephone number and email address.
4. Trash Collection. Narrative detailing how trash will be stored and removed from the property.
5. Snow Removal. Narrative detailing how and where snow will be removed and stored on site while STR is occupied.

E. General Criteria and Standards.

1. Applicant must be the owner-occupant of the dwelling unit.
2. The dwelling unit must have been legally established under the Town of South Hadley Zoning Bylaws Chapter 255.
3. The tax parcel(s) subject to the location of the dwelling unit to be used as the short term rental must be in compliance with the Zoning Bylaw Dimensional Schedule.
4. The tax parcel(s) for the dwelling unit designated for the short term rental must be current on all local taxes and fees.
5. Deed restricted units for affordable housing are not eligible.

F. Conditions and Restrictions. The following conditions and restrictions shall apply to each parcel on which one or more short term rental Special Permits are approved under these provisions:

- a. All applicable building and fire codes must be complied with.
- b. Adequate onsite parking, as determined by the SPGA, shall be provided, to be determined by the number of bedrooms within the short term rental.
- c. No exterior signage is permitted.
- d. There shall be no exterior storage of materials, equipment, vehicles or other supplies used in conjunction with the short term rental business.
- e. A Business License from the Town Clerk must be obtained.
- f. A Lodging Permit from the Board of Health must be obtained.
- g. An annual Rental Registration License must be obtained through the Building Commissioner.
- h. The Planning Board may waive any of these conditions as deemed appropriate to the specific conditions of the site.
- i. The Building Commissioner may adopt regulations for the administration of this bylaw and short term rental special permits.
- j. No more than ____ short term rentals are permissible on any one tax parcel.
- k. Any approved Special Permit shall expire with a lapse or revocation of the annual Rental Registration License, and/or a change in ownership of the property. The Special Permit is non-transferable.

CHAPTER 255 USE REGULATIONS SCHEDULE

Use Classification	Districts												NOTES
	Residence				AGR	Business				Industrial			
	A-1	A-2	B	C		A-1	A	B	C	A	B	Garden	
Bed-and-Breakfasts	SP	SP	N	N	SP	N	N	N	N	N	N	N	
Home Occupation I	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	
Home Occupation II	SPR	SPR	SPR	N	SPR	N	SPR	SPR	N	N	N	N	
Motels-Hotels	N	N	N	N	N	N	N	N	SP	N	SP	N	
PROPOSED Short Term Rental – Owner Occupied	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	N	N	
PROPOSED Short Term Rental – Non-Owner Occupied	N	N	N	N	N	SP	SP	SP	SP	N	N	N	

**SOUTH HADLEY PLANNING BOARD
LIST OF CORRESPONDENCES
OCTOBER 3, 2022 REGULAR MEETING**

Letters & Memos

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Legal Notices

Amherst

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Chicopee

- Notice received from the Chicopee Planning Board for a public hearing on October 6, 2022 to consider a waiver from frontage requirements to create two single-family building lots on Crestwood Street.
- Notice received from the Zoning Board of Appeals for public hearings on October 12, 2022 to consider the following: 1) variance from frontage and area requirements to create two single-family building lots on Crestwood Ave; 2) variance from side yard setback and front yard setback requirements to allow construction of an addition to a single family home at 120 Columbia St; and 3) a variance from rear yard setback requirements to allow expansion of existing attached garage at 22 Mt. Vernon Road.
- Notice from the Chicopee Zoning Board of Appeals for filing of the following decisions: 1) approval of a variance from frontage, area, depth, and rear yard setback requirements for a property at Granville Ave; and 2) approval of a variance from parking requirements and pavement setback requirements for development at 10 Southwick Street.

Granby

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Hadley

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Holyoke

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