

ZONING BYLAW

ZB Attachment 1

Town of Hadley
Table of Uses

In the Table of Uses, the following use designations shall apply:

- N: Use is not permitted
- P: Use is permitted as a matter of right
- SZBA: Use permitted by special permit issued by Zoning Board of Appeals
- SPB: Use permitted by special permit issued by Planning Board

Overlay Districts	
Because of their unique characteristics, the requirements in the Overlay Districts supersede the requirements of the underlying districts. To this end the number and types of uses allowed are restricted.	
District	See Section
Aquifer Protection	XII
Flood	XIII
Wireless Communications Services	XIV
Farmland Preservation and Receiving Districts	XVII
Municipal	XVIII
Village Center	XIX
Senior Housing	XXVII

Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Agricultural							
Agriculture/horticulture/floriculture	P	P	P	P	P	P	See Note 8 below
Farm or nursery, including the display and sale of natural products raised in the Town and the raising of stock	N	P	P	P	P	P	Except as limited by uses permitted by SZBA See Note 8 below
Farm stand for the display and sale of natural products, including those not raised in the Town	N	N	N	P	P	P	

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Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Residential							
Detached one-family dwelling	P	P	P	P	P	N	See Note 8 below
Renting of rooms/furnishing of board for periods exceeding 14 days in duration for not more than 4 persons in a dwelling regularly occupied for residential purposes and which is not a bed-and-breakfast facility	P	P	P	P	P	N	See Notes 3 and 8 below
Accessory use customarily incidental to a permitted main use on the same premises	P	P	P	P	P	N	Including but not limited to the following: (1) Use of a room or rooms in a dwelling for customary home occupations, such as dressmaking, candy making or for the practice, by a resident, of a recognized profession. (2) Use of a premises or building thereon in connection with his trade by a resident carpenter, electrician, painter, plumber, or other artisan, provided that no manufacturing or business requiring substantially continuous employment is carried on. See Note 8 below
Conversion of a one-family dwelling into a two-family dwelling	SZBA	SZBA	SZBA	SZBA	SZBA	N	One-family dwelling must have existed at the time of adoption of the bylaw (2-18-1961) See Note 8 below

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Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Trailers or mobile homes	N	N	N	N	SZBA	N	Each unit must conform to the minimum dimensional lot size requirements for a building or a structure erected in a Business District under § 4.1, Table No. 1 See Note 3 below
Common driveway	SPB	SPB	SPB	SPB	SPB	N	See § 5.7 See Note 8 below
New residential construction above 350 feet elevation	SPB	SPB	SPB	SPB	SPB	N	See § 5.8 See Note 8 below
Senior housing: conversion of existing structure	SPB	SPB	SPB	SPB	SPB	SPB	See Notes 1, 3, 7, 8 and 9 below
Senior housing: new construction	SPB	SPB	SPB	SPB	SPB	SPB	Requires Senior Housing Overlay District; see Section XXVII See Notes 1, 3, 8 and 9 below
Home occupation Home office Home business	P SPB	P SPB	P SPB	P SPB	P SPB	P SPB	See Section XX See Note 8 below
Bed-and-breakfast facility Bed-and-breakfast home Bread-and-breakfast establishment	SPB N	SPB SPB	N N	SPB SPB	SPB SPB	SPB SPB	See Section XXII
Accessory apartments	SPB	SPB	SPB	SPB	SPB	SPB	See Section XXVI See Note 8 below
Institutional/ Governmental							
Religious and educational use	P	P	P	P	P	P	See Notes 3, 8 and 9 below
Municipal use	SZBA	SZBA	SZBA	SZBA	P	P	See Notes 1, 3, 8 and 9 below
Hospital, sanitarium, convalescent/nursing home	SZBA	SZBA	SZBA	SZBA	P	P	See Notes 1, 3, 8 and 9 below
Commercial/Retail							
Aviation field, golf course, boat livery, riding stable and ski tow	N	SZBA	SZBA	SZBA	P	P	See Notes 1, 2, 3, 8 and 9 below
Private club not conducted for profit	N	SZBA	SZBA	SZBA	P	P	See Notes 1, 2, 3, 8 and 9 below

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Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Place of amusement or assembly, club conducted for profit	N	N	N	N	SZBA	P	See Notes 1, 2 and 3 below
Open-air movie theater	N	SZBA	SZBA	SZBA	P	P	See Notes 1, 2, 3, 8 and 9 below
Business uses in existence and in operation in the Local Business District on the date of passage of this amendment	N	N	P	N	N	N	Preexisting business uses shall be limited to the lot upon which they exist on the date of passage of this amendment See Notes 1, 5, 6, 8 and 9 below
Customary accessory uses, including those allowed in the Residential and Agricultural-Residential Districts	P	P	P	P	P	P	See Notes 3 and 8 below
Nursery or child-care facility	N	N	SPB	SPB	P	P	See Notes 1, 2, 3, 4, 8 and 9 below
Repair shop, such as shoe, appliance, electronic or jewelry repair	N	N	SPB	SPB	P	P	See Notes 1, 2, 3, 4, 6, 8 and 9 below
Adult entertainment	N	N	N	N	N	SZBA	See Notes 1, 3, 5 and 6 below See Section XXIII
Service shop	N	N	SPB	SPB	P	P	See Notes 1, 2, 3, 4, 6, 8 and 9 below
Service shop, repair shop, craft shop or barber/beauty shop located within a house, garage or accessory building, provided the premises is occupied by the owner	N	N	P	P	P	P	See Notes 1, 3, 6, 8 and 9 below
Craft shop or on-premises manufacturer of products to be sold on the premises, such as jewelry, leather goods, clothes or food	N	N	SPB	SPB	P	P	See Notes 1, 2, 3, 4, 5, 6, 8 and 9 below
Retail business	N	N	SPB	SPB	P	P	In LiB District, the Board shall favor businesses compatible with agricultural use, such as a garden center or farm implement store See Notes 1, 2, 3, 4, 5, 6, 8 and 9 below

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Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Bank, business or professional offices	N	N	SPB	SPB	P	P	See Notes 1, 2, 3, 4, 8 and 9 below
Newspaper or job printing establishment	N	N	N	N	P	P	See Notes 1 and 3 below
Hotel, motel or restaurant	N	N	N	N	P	P	See Notes 1 and 3 below
Any wholesale or retail business, service or public utility not involving manufacture on the premises except of products the major portion of which is sold on the premises by the producer to the consumer	N	N	N	N	P	P	See Notes 1, 3, 5 and 6 below
Automobile service station, cleaning, repair shop, storage garage or sales room	N	N	N	N	P	P	See Notes 1, 3 and 6 below
Bars, taverns, or establishments focused on primarily serving liquor and/or entertainment	N	N	N	N			
Undertaking establishments	N	N	N	N			
Industrial/ Manufacturing							
Research laboratory	N	N	N	N	SPB	N	See Notes 1 and 3 below
Manufacturing or industrial use, including processing, fabrication and assembly, shall not be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reasons of dirt, odor, fumes, gas, sewage, refuse, noise, excessive vibration or danger of explosion or fire	N	N	N	N	N	P	See Notes 1 and 3 below

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Use	District						Standards and Conditions
	R	AR	LoB	LiB	B	I	
Accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research and scientific development or related production, whether or not on the same parcel as activities permitted as a matter of right	SZBA	SZBA	SZBA	SZBA	SZBA	SZBA	Provided the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good See Note 8 below
Removal of earth products: When Building Inspector determines it is incidental to and in conjunction with the construction of a building or other activity authorized by this bylaw	P	P	P	P	P	P	See Section IX See Notes 1, 8 and 9 below
Other	SPB	SPB	SPB	SPB	SPB	SPB	
Wireless communications services, towers and facilities	SPB	SPB	SPB	SPB	SPB	SPB	Requires Wireless Communications Services District. See Section XIV See Notes 1, 8 and 9 below
The collection, treatment, storage, burial, incineration, or disposal of radioactive waste, including but not limited to wastes classified as low-level radioactive waste	N	N	N	N	N	N	See Section X
Automobile dismantling or used parts yard	N	N	N	N	N	N	
Junkyard	N	N	N	N	N	N	
Other							
Transfer of development rights							Requires Farmland Preservation District. See Section XVII
Farmland Preservation District	N	SPB	N	N	N	N	
Farmland Receiving District	N	N	N	N	SPB	SPB	
Stormwater management permit	SPB	SPB	SPB	SPB	SPB	SPB	See Section XXIV for procedures and exemptions

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NOTES:
1. Also requires commercial site plan approval. (See Section VIII.)
2. In LiB Districts, total business use on any one lot shall not exceed 2,500 square feet of gross floor area.
3. In B and I Districts, any otherwise permitted use involving new construction or change in the outside appearance or a change of use of a building or buildings or premises of more than 75,000 cumulative square feet total gross floor area after such construction or exterior alteration or change in use, on the same parcel of land or on land which has been in common or affiliated ownership within the three years prior to the application filing date, will also require a special permit under the Farmland Preservation Bylaw, with purchase of development rights as specified in Section XVII for all floor area over 75,000 square feet. This does not apply to the construction or enlargement of any single-family or two-family dwelling or building accessory to such dwelling or any building used exclusively for agriculture, horticulture or floriculture uses.
4. In LiB Districts, business buildings shall resemble, as far as practicable, residential and agricultural buildings in style, materials and landscaping, and parking, lighting, fencing, and signs shall be unobtrusive and in conformity with the historic, scenic and agricultural-residential nature of the district. The regulations shall also set out procedures for the review of plans.
5. In all zoning districts, any proposed new structure or expansion of an existing structure for retail use, excluding the reuse or reconstruction of an existing structure, with a total floor area exceeding 75,000 square feet is prohibited.
6. In all zoning districts, a group of adjacent stores, shops and similar retail commercial establishments with a combined total footprint of all buildings in the group exceeding 60,000 square feet is prohibited.
7. Conversion of existing structures to senior housing. The purpose is to permit existing buildings in all zoning districts to be converted to senior housing dwelling units compatible with such districts, to create new housing involving little new construction, to preserve existing buildings and neighborhoods, and protect open space. <ul style="list-style-type: none"> (a) Requirements. Properties meeting the following requirements shall be eligible for consideration for a special permit, in accordance with Section VI of the Hadley Zoning Bylaw: <ul style="list-style-type: none"> [1] Parcels with one or more existing buildings in all districts with not less than 50 feet of frontage on an approved Town way, with access to Town water and sewer. [2] Any structure older than 25 years prior to the adoption of Section XXVII of the Hadley Zoning Bylaw may be converted to senior housing dwelling units. [3] The exterior design of the structure shall not be substantially altered and shall maintain the aesthetic and character of older buildings in Hadley. [4] The total number of senior housing dwelling units that can be created under a senior housing conversion special permit is the same as the standards set forth in § 27.5 of this bylaw. [5] No building (including both buildings converted to senior housing dwelling units and accessory buildings not converted to senior housing dwelling units) shall be externally enlarged except with the approval of the Planning Board, and in no event shall such an enlargement add to any one building more floor area than a number equal to 25% of the above-grade floor area of such building, the floor area of porches and decks to be included in the calculations of the floor area. [6] No new building for dwelling purposes may be built on the parcel. New accessory structures, such as swimming pools, fences, small sheds, garages, and other accessory structures for accessory purposes, shall be subject to the approval of the Planning Board as to the number, design, location, uses and sizes.

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<p>(b) An application for special permit for such conversion shall be made and processed in accordance with the provisions of Section VI of the Hadley Zoning Bylaw. In addition to those items required for plan submission for special permit, the following items shall also be required to be shown on the plan: proposed renovation/rehabilitation plan for the exterior of buildings, including facade treatments and elevations, proposed site improvements, existing and proposed buildings and their proposed uses and densities.</p>
<p>8. In LoB Districts:</p> <p>(a) Buildable area. The area available for the construction of buildings shall be defined as in Tables 1 and 2 of Section IV, Intensity Regulations, and § 5.4, Parking requirements.</p> <p>(b) For the purposes of meeting the requirements of Section IV, the dimensions for each lot in this district shall be calculated only by using the boundaries of each lot as the lot existed on the date of passage of this amendment.</p> <p>(c) The maximum height and associated setbacks shall comply with Section IV, Intensity Regulations, Tables 1 and 2.</p>
<p>9. All permitted uses in LoB Districts which are subject to Section VIII, Commercial Site Plan Approval, shall be subject to the following:</p> <p>(a) Noise-generating activity (e.g., shipping, receiving) shall be regulated by hours of operation to assure the peace and quiet of neighbors.</p> <p>(b) Lighting shall comply with all provisions of § 8.8.9.</p> <p>(c) Signage shall comply with all provisions of § 7.7.</p> <p>(d) The architecture guidelines of Section XIX, Village Center Overlay District, shall apply, except that vertical siding with a wood texture/appearance is permitted.</p>

Town of Hadley, MA
 Tuesday, October 1, 2013

Chapter ZB. ZONING BYLAW

SECTION IV. Intensity Regulations

§ 4.1. Table 1.

[Amended 10-23-2003; 10-22-2009 STM by Art. 12] A dwelling or building or structure hereafter erected in any district shall be located on a lot having not less than the minimum requirements set forth in the table below, and no more than one dwelling shall be built upon any such lot. No existing lot shall be changed as to size or shape so as to result in the violation of the requirements set forth below.

Table 1 *Editor's Note: Frontage requirements set 5-7-1987 and 5-18-1987, approved by Attorney General 8-25-1987, per Town Clerk 5-2-1996.*

Districts	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Buildings	Number of Stories	Feet	Maximum Coverage of Building Including Accessory Buildings
	Area (square feet)	Frontage (feet)	Depth (feet)	Width (feet)	Front (feet)	Side (feet)	Rear (feet)				
Residential	22,500	150	150	150	50	15	40	2 1/2	35	30%	
Agricultural-Residential	30,000	175	150	150	50	15	40	2 1/2	35	20%	
Local Business	30,000	175	150	150	50	15	40	2 1/2	35	30%	
Limited Business	30,000	175	150	150	50	15	40	2 1/2	35	30%	
Business	30,000	175	150	150	50	15	40	3	42	30%	
Aquifer Protection	40,000	200	150	150	50	15	40	2 1/2	35	20%	
Industrial - Floodplain											(new residential construction not permitted)

§ 4.2. Table 2.

[Amended 1992; 10-23-2003] A building hereafter erected in an Agricultural-Residential, Limited Business, Business, Aquifer Protection, or Industrial District shall be located on a lot having not less than the minimum

requirements set forth in the table below. No existing lot shall be changed as to size or shape so as to result in the violation of the requirements set forth below.

Table 2 *Editor's Note: Frontage requirements set 5-7-1987 and 5-18-1987, approved by Attorney General 8-25-1987, per Town Clerk 5-2-1996.*

Districts	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Buildings		Maximum Coverage of Building Including Accessory Buildings
	Area (square feet)	Frontage (feet)	Depth (feet)	Width (feet)	Front (feet)	Side (feet)	Rear (feet)	Number of Stories	Feet	
Limited Business	30,000	175	150	150	50	15	40	2 1/2	35	30%
Business	30,000	175	150	150	50	15	40	3	42	30%
Aquifer Protection	40,000	200	150	150	50	15	40	2 1/2	35	20%
Industrial - Floodplain	62,500	250	250	250	50	40	40	4	50	30%

§ 4.3. Other intensity regulations.

In addition to the regulations contained in § 4.1 above, the following regulations shall apply.

- 4.3.1. A lot or parcel of land having an area or a frontage of lesser amounts required by this table may be considered coming within the area and frontage requirement of this section, provided such lot or parcel of land shown on a plan or described in a deed only recorded or registered at the time of the adoption of this bylaw and did not at the time of such adoption adjoin other land of the same owner available for use in connection with such lot or parcel.
- 4.3.2. Frontage is to be measured from the right-of-way line where a plan of the way is on file with the Registry of Deeds or, in the absence of such plan, from a line drawn 25 feet parallel to the center line of the traveled way. In case of corner lots, the front yard depth shall be observed from all bordering streets. **[Amended 5-5-2011 ATM by Art. 18]**
- 4.3.3. The limitations on height of buildings shall not apply in any district to chimneys, cooling towers, elevator bulkheads, skylights, ventilators, electronic equipment, elevator shafts, other necessary appurtenances usually carried above the roof, and, if not used for human occupancy, towers, spires, or other ornamental features of buildings. **[Amended 1992]**
- 4.3.4. Side yard dimensions in a Business or Industrial District will be 50 feet when adjacent to an Agricultural-Residential District.
- 4.3.5. Rear yard dimensions in a Business or Industrial District will be 50 feet when adjacent to an Agricultural-Residential District.
- 4.3.6. The minimum front yard dimensions shall not apply to signs, the location of which shall be governed by the sign section of this bylaw designated as Section VII.

4.3.7. Width is defined such that a square area 150 feet by 150 feet must be able to fit into the plan of a lot and at least one point of that square must lie on the frontage line. At no point, between the front lot line and the rear of the principal structure (said rear being the furthest point of the structure from the front lot line) located on the lot, shall the lot have a width less than the minimum lot width required, except that the Planning Board may (but is not required to) issue a special permit as provided in § 6.2.2. to permit lot width of no less than 75% of the minimum lot width required when, in its judgment, such action is in the public interest and not inconsistent with the intent of this Zoning Bylaw. **[Added March 1977; amended May 1998; 5-5-2011 ATM by Art. 18]**

