



Town Clerk

Jessica Spanknebel

100 Middle Street • Hadley, MA 01035
clerk@hadley.ma.org

Hadley ATM 5-07-2026

Art. 20

Zoning Bylaw: amend ADU

Telephone (413) 584-1590

Fax (413) 586-5661

To Whom It May Concern:

At the Town of Hadley Annual Town Meeting that convened on May 7, 2026, at Hopkins Academy with a quorum of 100 present and declared dissolved on May 7, 2026, by the Moderator, the following article was so voted:

Article 20 Motion was made and seconded that the Town amend Section 26, ADU, of the Zoning bylaw as set forth in the Warrant.

The Moderator declared Article 20 passed unanimously.

Attest:

Jessica Spanknebel
Town Clerk
Hadley, MA

Planning Board gave oral recommendation 5-0-0

ARTICLE 20 - Amend Section 26 ADU – Planning Board

To see if the Town will vote to amend Vote to amend § 1.2 by replacing the definition of an Accessory Dwelling Unit with the following (**bold** new and ~~cross through~~ removed):

§ 1.2 Definitions

ACCESSORY DWELLING UNIT (ADU): An accessory dwelling unit (ADU) is an attached or detached dwelling unit that is accessory to a principal ~~single-family~~ dwelling unit and is otherwise defined in accordance with the provisions of G.L. c. 40A, §1A, as may be amended.

And to amend Section XXVI by replacing it in its entirety with the following:

SECTION XXVI – ACCESSORY DWELLING UNIT (ADU)

An Accessory Apartment, or In-Law Apartment, here-in-after called an Accessory Dwelling Unit (ADU) shall be a self-contained housing unit incorporated within a ~~single-family~~ dwelling or in a detached dwelling that is a subordinate part of the ~~single-family~~ dwelling and complies with the criteria below and is a “By-Right Zone Bylaw” per Ch 40A. ADUs are allowed in all Zone Districts where single family homes are allowed.

§ 26.1 PURPOSE

The intent of permitting an ADU is to:

- 26.1.1 Provide homeowners with a means of obtaining rental income, companionship, security and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- 26.1.2 Add to the variety of rental housing available to serve households who might otherwise have difficulty finding housing;
- 26.1.3 Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle;
- 26.1.4 Protect stability, property values, and the ~~single-family~~ residential character of a neighborhood;
- 26.1.5 To provide housing units for persons with disabilities.

§ 26.2 USE RESTRICTIONS & PROCEDURE

Procedure

The Planning Board may perform an Administrative Review of the proposed ADU to ensure it complies with the Zone Bylaw. Applicant shall submit two sets of drawings and one electronic file to the Planning Board at a routine scheduled Planning Board meeting and the Board shall conduct the Review within 35 days at a duly noticed Planning Board meeting. The Review is subject only to compliance with this Bylaw. The only notice required of the Review is the appropriate posting of the meeting agenda.

Restrictions

The ADU shall comply with the following:

- 26.2.1 The Board of Health has approved compliance with Title 5 of the State Environmental Code, 310 CMR 15, and all other issues within their jurisdiction. All ADUs shall be connected to the public water supply and sewer supply, where available, if no sewer then connect to a septic system (**Amended May 5, 2011**);
- 26.2.1.1 If ADU is a separate dwelling unit it shall have: its own water supply connection,
- 26.2.1.2 If ADU is a separate dwelling unit it shall be connected to a septic system compliant to Title 5 above and in compliance with Hadley Board of Health regulations, or
- 26.2.1.3 If ADU is a separate dwelling unit it shall have its own sewer tie-in if sewer is available
- 26.2.2 The ADU will be a complete, separate housekeeping unit containing both kitchen and bath.
- 26.2.3 Only one ADU may be created per a single-family house lot.
- 26.2.4 ADUs shall comply with ~~any and all~~ *the* dimensional requirements *applicable to the principal dwelling on the lot, a single-family dwelling allowed on the lot, or an allowed accessory structure, whichever is most permissive*, ~~as may be applicable to single family homes~~, as contained in Table 4 of Section 4.2 of this Zone Bylaw, *provided that minimum lot size dimensional requirements shall not apply to ADUs.*
- 26.2.5 ADU shall not be used for short term rental as defined in Section 1 of Chapter 64G.
- 26.2.6 ADU shall adhere to but not limited to § 8.5.1.1 through § 8.5.1.8; and § 8.5.1.12; and § 8.5.1.14, of the Zone Bylaw.
- 26.2.7 The gross floor area of an ADU (including any additions) may be up to one-half (1/2) the gross floor area of the principal dwelling unit, but not larger than nine hundred (900) square feet.
- 26.2.8 Once an ADU has been added to a single-family lot, the ADU shall never be enlarged beyond the nine hundred (900) square feet or one-half (1/2) gross floor area of the principal dwelling unit, allowed by this bylaw.
- 26.2.9 *For all ADUs located greater than 0.5 miles from a Transit Station, as that term is defined in 760 CMR 71.03*, ~~One one~~ additional off-street parking space must be available for use by the ADU tenants to avoid on-street parking.
- 26.2.10 The design and room sizes of the ADU must conform to all applicable standards in the Health, Building, Conservation, Fire and other codes.
- 26.2.11 All parking for ADU and principal dwelling units must be on-site.
- 26.2.12 The Planning Board may adopt regulations necessary to fulfill the intent of this bylaw.
- 26.2.13 ~~A pre-existing, non-conforming structure shall not be made more non-conforming by the conversion to an ADU.~~
- ~~26.2.14~~ 26.2.13 Year-round access shall be provided for Public Safety in accordance with applicable fire regulations, if ADU is a detached structure

§ 26.3 ENFORCEMENT AND PENALTIES

- 26.3.1 Notice of Violation

the When the Zoning Enforcement Officer determines that an activity is not being carried out in accordance with the requirements of this Bylaw, the Officer shall issue a written notice of violation to the owner of property. The notice of violation shall contain:

26.3.1.1 the name and address of the owner;

26.3.1.2 the address when available or the description of the building, structure, or land upon which the violation is occurring; and

26.3.1.3 a statement specifying the nature of the violation;

26.3.2 Non-Criminal Disposition

Any person who violates any provision of this bylaw, or the terms or conditions in any permit or order prescribed or issued thereunder, shall be subject to the Town of Hadley non-criminal disposition procedure set forth in the § 6.1 of the Zone Bylaw. The Building Inspector shall be the enforcing entity. The penalty for the violation shall be: \$100 per day for days 1 through 30; \$200 per day for days 31 through 60; and \$300 per day for days 61 and over. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.