

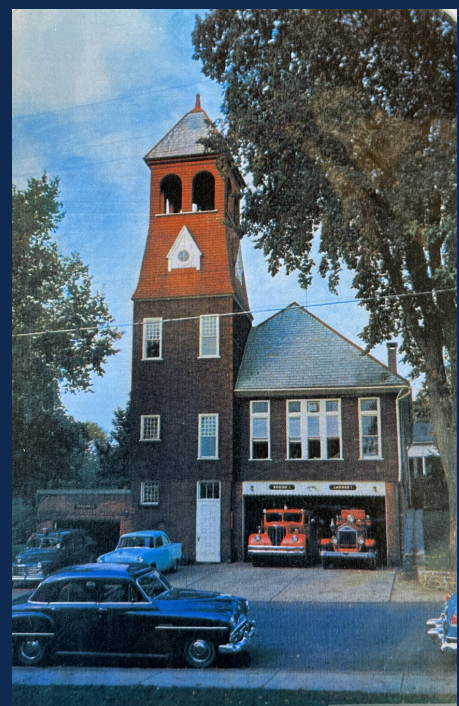
TOWN OF SOUTH HADLEY

# Old Firehouse Museum Local Historic District

Final Report Proposal of the  
South Hadley Historic District  
Study Committee

March 3, 2025

Prepared for consideration at  
South Hadley Town Meeting,  
May 2025



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# Summary Sheet

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**South Hadley Historic District Study Committee Members**

Madison Dresler  
Gerald Judge  
Robert Judge, Vice Chair  
Leo Labonte  
Diane LaRoche, Clerk  
Eleanor Small  
Melissa Taylor, Chair

**Date of Public Hearing:**

September 21, 2024

**Expected Date of Town Meeting Vote:**

May 14, 2025

**Total Number of Properties included in the Proposed Local Historic District:**

One property:

- 4 North Main Street, South Hadley, MA 01075 (Old Firehouse Museum)
- unnumbered North Main Street, South Hadley, MA 01075 (Fred M. Smith Memorial Green)
- unnumbered North Main Street, South Hadley, MA 01075 (adjacent lot)

**Conclusion of Study Report:**

Adoption of proposed by-law and establishment of the Old Firehouse Museum Local Historic District

## Introduction

Local historic districts are one of the oldest and strongest forms of protection for historic properties. The historic district movement began in the United States in 1931, when the City of Charleston, South Carolina, enacted a local ordinance naming an "Old and Historic District" administered by a Board of Architectural Review.

Massachusetts first made use of this preservation tool in 1955, when a district was established in Nantucket. Between 1956 and 1960, districts were created in Lexington and Concord. In 1960, a statewide enabling statute was enacted to empower municipalities to establish local historic districts without the special approval of the state legislature. This statute, the Historic Districts Act, Massachusetts General Law, Chapter 40C, was created to protect and preserve the historic resources of the Commonwealth through a local review system that encourages and ensures compatible improvement and development.

More than two hundred (200) communities across the Commonwealth have created local historic districts to preserve and protect their historic resources. The nearby communities of Amherst, Belchertown, Chicopee, Granby, Holyoke, Northampton, Springfield, and many others in western Massachusetts, have all established local historic districts to preserve and protect buildings and places of historic or architectural significance. For many communities, the protection offered by local historic districts has helped to stabilize older neighborhoods and encourage reinvestment in these neighborhoods.

The local historic district mechanism provides for the review of proposed demolition, new construction, or significant alteration within the boundaries of the district to ensure that the proposed work is compatible and not disruptive to the visual character of the district. However, it does not restrict the use of buildings or land beyond that established by local zoning bylaws.

By comparison, The National Register of Historic Places is a separate designation. It is administered by the Secretary of the Interior and, in Massachusetts, by the Massachusetts Historical Commission. It is a list of individual buildings, sites, structures, objects, and districts that are considered important in American history, culture, architecture, or archaeology. There are over nine hundred (900) National Historic Register Districts in the Commonwealth, including two in South Hadley. However, the local historic district designation is much more effective at preserving the integrity of the designated properties.

The local historic district mechanism is intended to complement a community's zoning by laws by establishing clear standards for the maintenance and improvement of the façades of historic buildings and the compatible design of new structures and additions. The historic and architectural resources of the community, when preserved and appreciated in a suitable setting, become a source of pride and a focus of community identity.

This Preliminary Study Report presents a proposal for establishing a single-property local historic district at 4 North Main Street, the Old Firehouse Museum, along with the adjacent Fred M. Smith Memorial Green, and the small parcel to the north of the Old Firehouse Museum. These are owned and maintained by the Town of South Hadley. These combine as one of the most historically significant sites in the Falls. Establishing this as a local historic district recognizes and preserves these as an integral part of the town's legacy and as important assets deserving of protection.

## Methodology

At its April 2, 2013 meeting, the South Hadley Selectboard voted unanimously to approve the creation of a local historic district study committee. It charged the members with exploring the possibility of establishing one or more local historic districts in town. The seven members of the Committee were chosen to represent the interests of property owners within the proposed historic district, residents from the community at large, the local historical society and real estate interests. The Committee began its work by examining properties in the Falls area. Thanks to work previously done through a 2007 Survey and Planning Grant from the Massachusetts Historical Commission and other research, the Committee became ready to propose the creation of a local historic district. Extensive work has been done, specifically in the Falls, culminating in a proposal in 2019 for an historic district around North Main Street. The Committee held a public hearing and planned to continue work on the proposal to address concerns raised. Ultimately, Committee work was paused during Covid.

In 2023, the Trustees of the Old Firehouse Museum approached the Committee about the possibility of creating a local historic district to include the Museum and adjacent Fred M. Smith Memorial Green. As a result, the Committee is now proposing to make this a "Single Property Historic District" as described under the Historic Districts Act (Chapter 40C, Section 3). This District would consist of the town property that contains the Old Firehouse Museum, the Fred M. Smith Memorial Green, and any small incidental part of the town-owned lot. The Old Firehouse Museum is one of South Hadley's treasured historical resources, now housing important collections while the Fred M. Smith Memorial Green is a valued green space, honoring a dedicated townsman. They are located just feet away from the remnants of the 1795 canal, which is on the National Register of Historic Places. Establishing a local historic district would highlight the importance of the Falls and would ensure the integrity of these historical resources for future generations to enjoy.

In Massachusetts, a local historic district is adopted with a bylaw. Such a bylaw typically addresses (and often exempts from review), features such as window air conditioners, the color of exterior paint, the color of roof material, permanent signs (for instance that are placed upon a residence for customary home occupations or for professional purposes) and property reconstruction, for example after damage or destruction due to fire or other disaster.

A local historic district is typically governed by a seven member local historic district commission which would be appointed by the Selectboard. This commission is typically composed of a representative of the local historical history, a member of the local board of realtors, a registered architect or a builder who has experience in restoration of antique properties, a resident of the district, and a resident of the town at large.

The Committee has used a bylaw template provided by the Massachusetts Historical Commission, revised to reflect the fact that South Hadley's district will only hold one structure, the Old Firehouse Museum. The Committee has made one notable change to the MHC bylaw in proposing the inclusion of a representative of the Old Firehouse Museum Board of Trustees on the oversight commission. If the Planning Board accepts this report, the Committee will continue accordingly, for instance, to prepare for a public hearing, as required by law, and to draft a draft warrant article for Town Meeting. The first public meeting is scheduled for August 5, 2024 in preparation for a vote at the May 14, 2025 town Meeting.

## Significance

South Hadley was incorporated as a town in 1775 and in 1795 became home to the first commercially successful navigable canal in the country. By the late 19th century, the area near the canal was a thriving business and industrial center. In 1888, South Hadley voted to build its firehouse at 4 North Main Street at a total cost of \$5,000:

*“The town committee on the new engine-house voted Tuesday night to build a house at once on North Main street. The contract for the brick-work was given to George Richards and for wood-work to Burritt Judd. The total cost will be \$5000.-- The prudential committee of the fire district have voted to buy a fire chute, gun, and net, to cost about \$500, in order to comply with the State law.” (Reported October 25, 1888 in the Springfield Republican, Page 6, copyright by NewsBank and/or the American Antiquarian Society, 2004)*

This site was across from the three major mills in a densely populated section of South Hadley just yards from the canal. This area of South Hadley was known as “Canal Village” in the 18th and 19th centuries and was a busy shopping and tourist attraction. In the decades prior to the construction of the firehouse, the left side lawn was the livery for the Canal Tavern. The right side lawn was owned by a local hatter and merchant in the tavern.



### **South Hadley's original firehouse on North Main Street (1889-1974)**

An early photo of the firehouse in 1896 showing the horse stables on the left, Courtesy of Holyoke Public Library (left) and the Old Firehouse Museum (right)

Once built in 1889, the firehouse became home to the first volunteer fire-fighting company in South Hadley, known as Fountain Engine Company No. 1. The primary engine, a hand-pumper built by Henry Waterman of Hudson, New York, was used to fight fires in South Hadley and was even transported across the Connecticut River on a ferry to help fight fires in Holyoke. From the beginning, the firehouse was also used as a polling place, a theater, a graduation site, a meeting hall, and a social hall.

As the town of South Hadley grew, a Town Hall was constructed and firefighting services were reorganized. The firehouse on North Main was deemed inadequate to house modern firefighting equipment. In 1974, a new firehouse was built on Newton Street. The Firehouse on North Main was turned over to the town and was vacant until the South Hadley Historical Society created a museum to highlight the town's history. The Town appropriated \$8,500 - matched by the state Bicentennial Fund - for the building's restoration. The South Hadley Lions Club added \$2,000, and many volunteers devoted their time and talent to making the museum a reality. The "Old Firehouse Museum" was dedicated on July 3, 1976, as a jewel among South Hadley's bicentennial projects.

#### **The Old Firehouse Museum (1976 to the present)**

The Old Firehouse Museum is owned and maintained by the Town and volunteers. It is operated by the South Hadley Historical Society and houses both permanent and changing exhibits of artifacts from South Hadley's past. The permanent collections include photographs, documents and artifacts, brick making displays, farm and carpentry tools, dinosaur tracks and Native American relics, historic books and publications, materials and machinery, and collections of photos and letters. Fountain Engine No. 1 still resides in the Museum on exhibit. The Canal Room houses artifacts and a mechanical replica of the 1795 canal. In its early years, the second floor of the Museum (known as Engine House Hall) also served as the site for town meetings, a polling place, and as a place for social gatherings and school performances.

The Museum is located at a key intersection of South Hadley Falls, in an area of historic homes and churches, several businesses, and public buildings within walking distance. It is also near the historic riverfront of the Connecticut River and site of the former 1795 canal. .

#### **Architecture**

The Old Firehouse Museum is an intact example of the Shingle Style revival period. It emulates the major architectural elements of English colonial era buildings with its clapboard exterior, multiple light sash windows, and steeply pitched tower roof.

It was designed by architect John Kirkpatrick and built by George Richards Burritt Judd. The foundation is brick and stone; the wall/trim is constructed of clapboards and the roof is slate. There were originally adjoining horse stables which were removed in the early 1900s.

### **Fred M. Smith Memorial Green**

Fred M. Smith was a prominent and beloved resident of South Hadley who lived from 1862 to 1928. He was the leader of the Republican Party in South Hadley, a member of the School Committee, Town Treasurer, Water Commissioner, Master of the Mount Holyoke Chapter of Masons, Town Moderator, and served in the Massachusetts Legislature. He headed the Local Draft Board in World War I, which determined which volunteers, and later draftees, were “physically, mentally, and morally fit for duty.”

In 1930, two years after his death, the parcel of land on the corner of Main Street and North Main was dedicated in his name to honor his memory and his contribution to the Town. Arthur Gaylord, Esq., spoke of his life filled with kind deeds and generous acts of public service.

A large granite boulder was unveiled at the ceremony, dedicating the “Fred M. Smith Memorial Green”. A bronze plaque inscribed on the boulder reads: “Dedicated to the memory of a loyal and patriotic citizen, whose efficient and untiring service won the esteem, confidence, and love of the people whom he served”. The Kiwanis Club of Holyoke presented a marble garden seat to his memory, as their late President. The Fred M. Smith Green is an important part of South Hadley’s history and one of the few remaining open spaces within an historic neighborhood.



Inscription: “Dedicated to the memory of a local and patriotic citizen whose efficient and untiring service won the esteem, confidence and love of the people whom he served 1862-1928.”

Photo Credit: Diane LaRoche (2024)

## Justification of the Boundaries

The proposed district boundaries consist of the current lot lines, as surveyed, of (unnumbered) North Main Street (Fred M. Smith Memorial Green), 4 North Main Street (Old Firehouse Museum), as well as the small, sloped lot just north of the Museum. The boundaries proposed do not affect rights or options available to the immediate abutters of the proposed district. That means that only the property and land owned by the Town of South Hadley are affected by the change in status and will be subject to the restrictions that will be in place if the district is approved.

## Options and Recommendations for the Ordinance or Bylaw (See Page 32)

The South Hadley Historic District Study Committee recommends that Town Meeting adopt a bylaw establishing the Old Firehouse Museum Local Historic District, as presented in this report.

The draft by-law presented later in this document has been recommended to the South Hadley Historical Commission by the Massachusetts Historical Commission and has been proven successful in other municipalities that have created local historic districts.

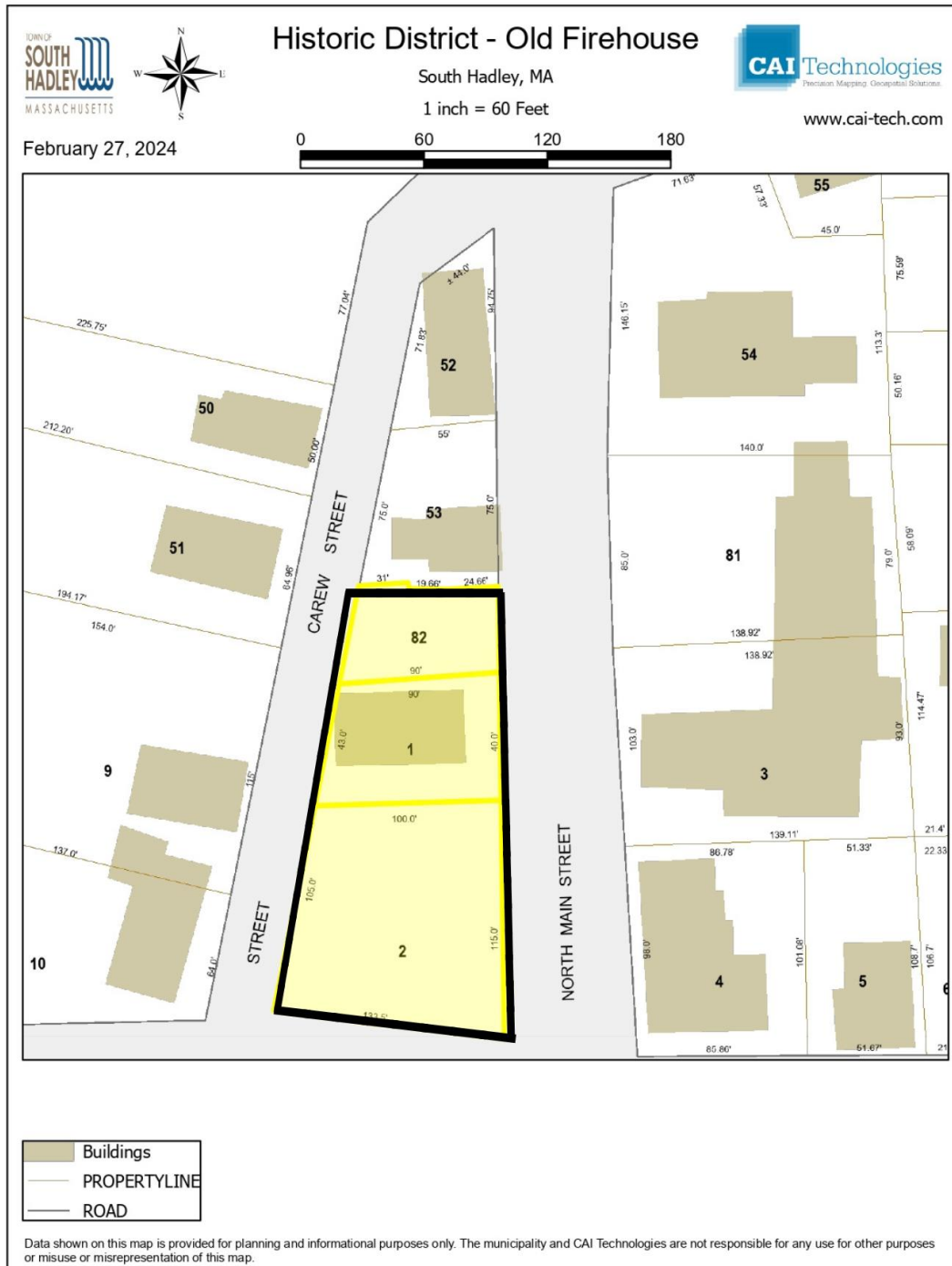
The draft by-law:

- Draws heavily from relevant Massachusetts General Law and peer community by-laws incorporating local historic districts and historic district committees
- Would create a proposed single-property historic district
- Must be adopted by Town Meeting
- Can only be amended by Town Meeting
- Will establish a Historical District Commission responsible for approving or disapproving proposed demolition or structural alteration
- Will not permit the Commission to consider interior arrangements or architectural features not subject to public view from a public way.

Many local historic districts contain private properties, and some of the provisions in the bylaw template recommended by the Massachusetts Historical Commission (MHC) are designed to address private properties within a district. However, the Old Firehouse Museum Local Historic District would not contain any private property. Nevertheless, the Committee has decided to still use the bylaw template provided by MHC, even though some of the provisions will not apply to the Old Firehouse Museum Historic District.

The Committee recommends moving forward with a public hearing about the proposed local historic district, following submission of the Preliminary Study Report to the Massachusetts Historical Commission.

# Map



**Map of South Hadley with Proposed Boundaries  
Old Firehouse Museum Historic District**

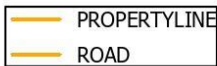
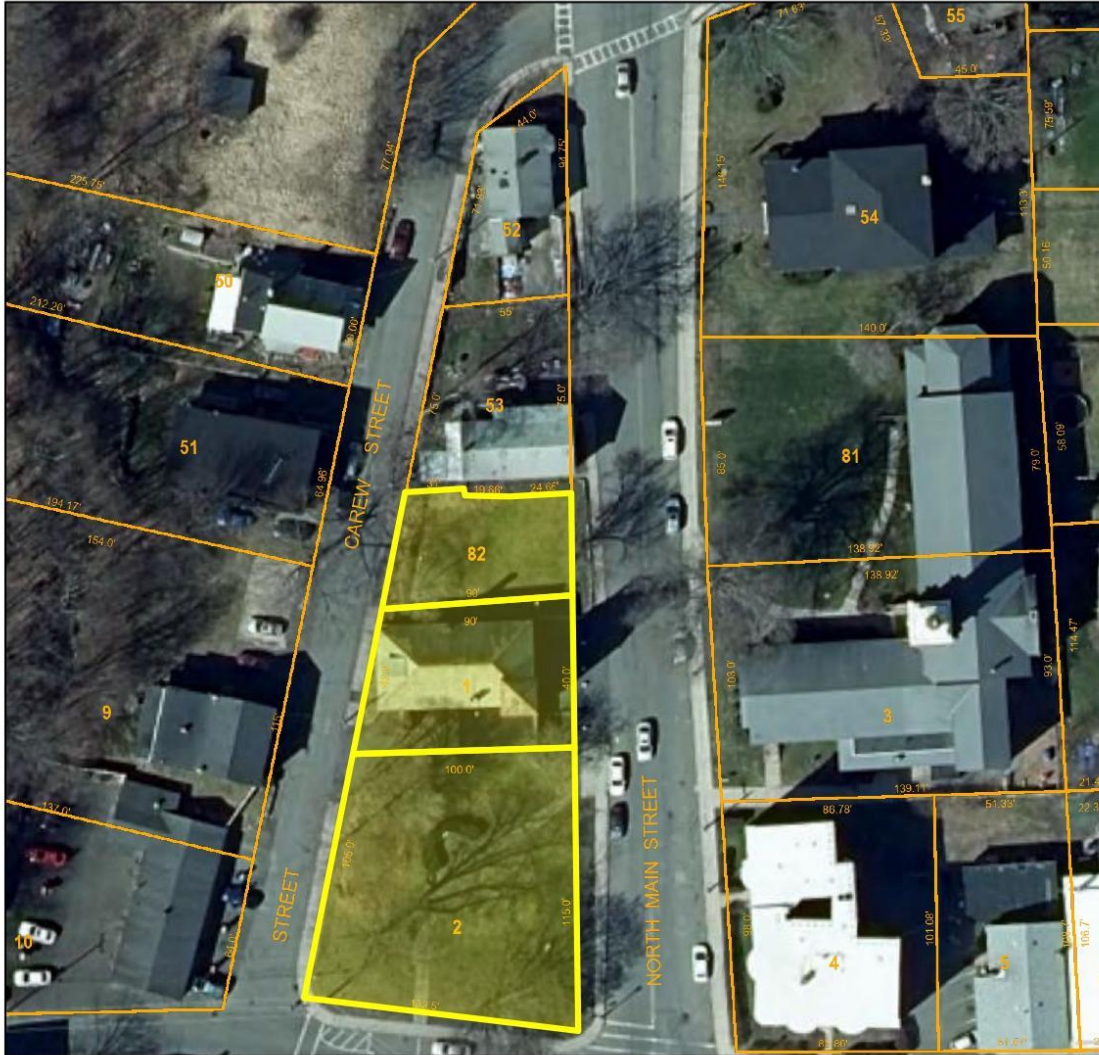


# Historic District - Old Firehouse

South Hadley, MA

1 inch = 60 Feet

February 27, 2024



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

# Property Index

## Properties in the Proposed District

unnumbered parcel North Main Street lot “Fred M. Smith Memorial Green”  
 4 North Main Street “Old Firehouse Museum”  
 unnumbered parcel North Main Street lot

Street Address	Parcel ID	Historic Name	Date of Construction	Architectural Style	MHC ID
unnumbered North Main St	005C-0002-000	Fred M. Smith Memorial Green	N/A dedicated 1930	Adjoining park with memorial	N/A
4 North Main St	005C-0001-000	Old Firehouse Museum	1889	Shingle Style	SOH.114
unnumbered North Main St.	005C-0082-000	Old Firehouse Museum adjacent lot	N/A	Sloped lot	N/A

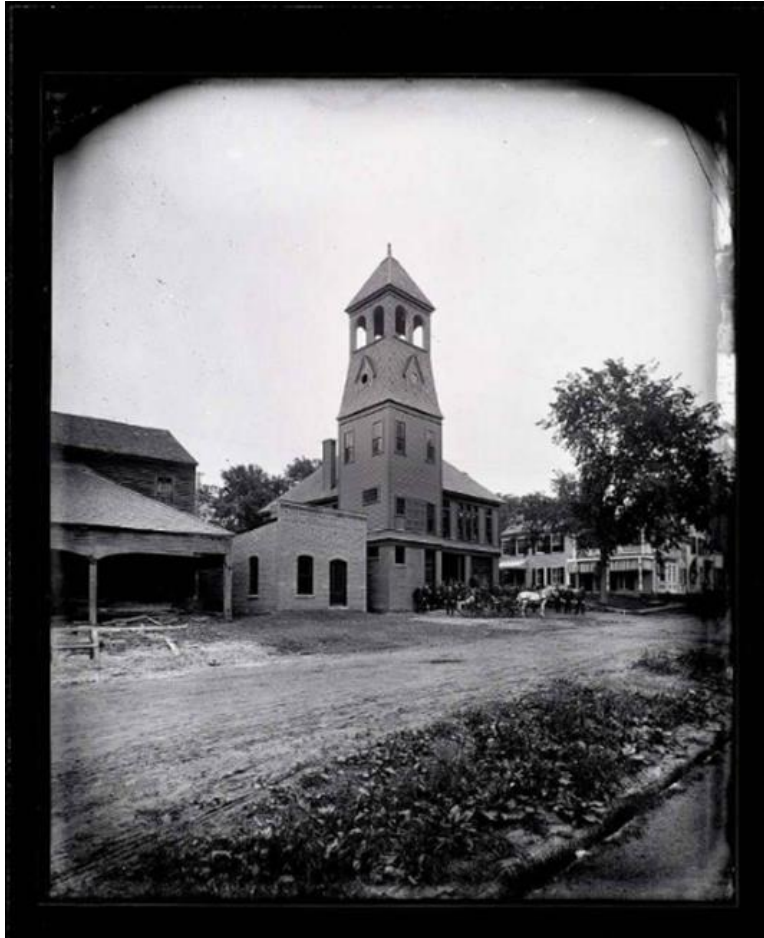
## Digital Images



### **South Hadley Firehouse, 1896**

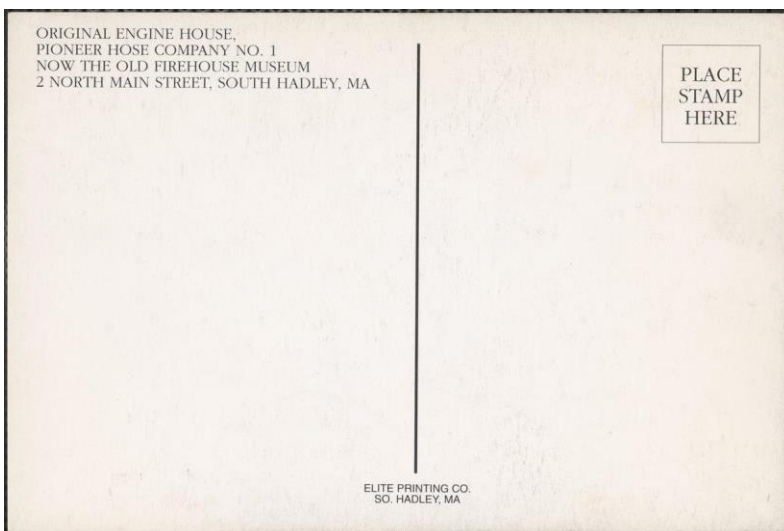
Caption: An early view of the Firehouse including a view of the horse stables that sit on what is now the Fred M. Smith Memorial Green.

Courtesy of the Trustees of the Old Firehouse Museum; photo is credited to Milan P. Warner (1848-1903)



**South Hadley Firehouse circa 1896**

Caption: Firemen wearing uniforms and white gloves are assembled around a fire hose wagon drawn by a white horse and decorated with a wreath and an American flag. Courtesy of Holyoke Public Library from the Milan P. Warner Photograph Collection



**Post Card: South Hadley Firehouse; photo circa 1896**  
Caption: Original engine house, Pioneer Hose Company No. 1,  
now the Old Firehouse Museum.

Courtesy of South Hadley Public Library, Post Card Collection; photo by Miles P.  
Warner



**Post card: View up North Main Street (Firehouse on the left);  
Photo circa 1900**

Publisher: Joseph C. Fringelin (1871-1962)

Source: "A Postcard Collection of Mount Holyoke College" by Donna Albino



**Post card mailed in 1909 shows the livery stable, jail, and firehouse.**

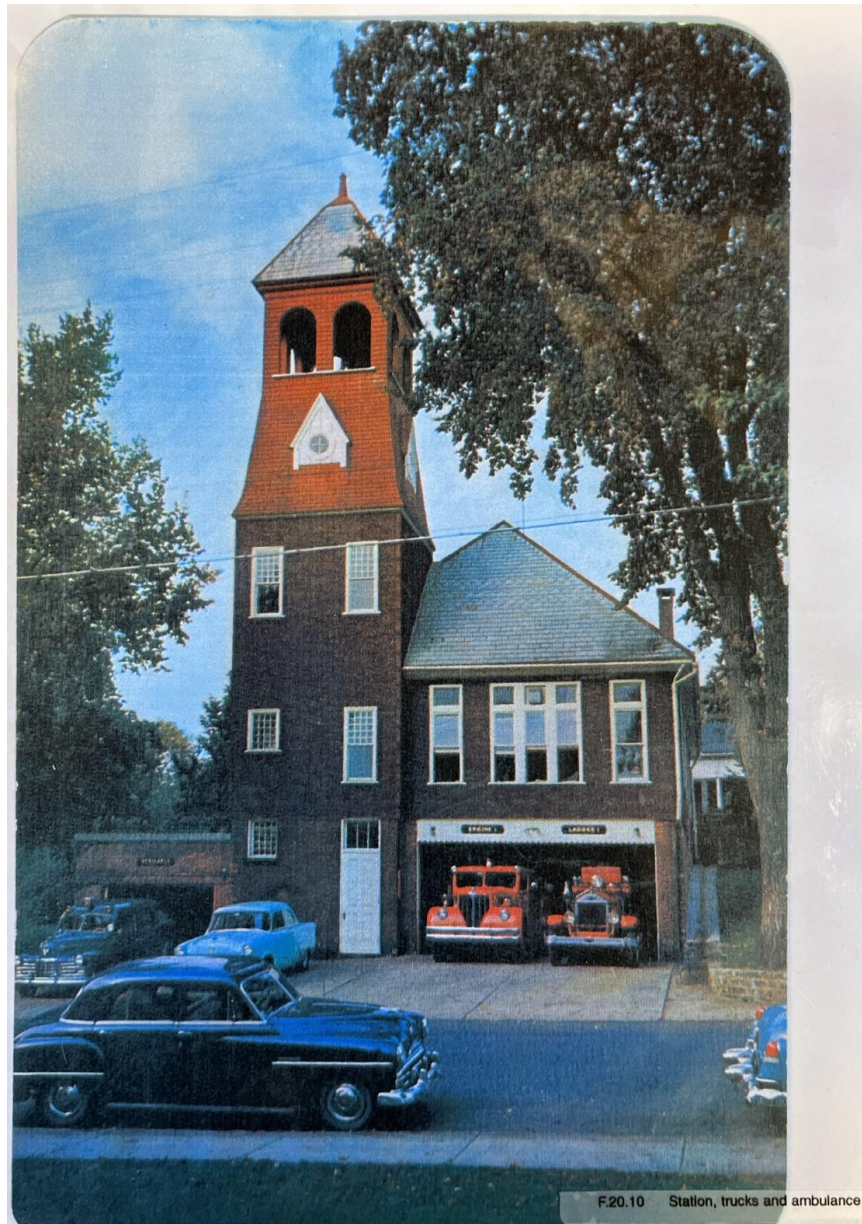


**Post Card: Back of Firehouse visible through trees  
from hill circa early 1900s**

Caption: South Hadley Falls, Mass.

Publisher: Joseph C. Fringelin (1871-1962)

Source: "A Postcard Collection of Mount Holyoke College" by Donna Albino



**South Hadley Firehouse circa 1950s**

Caption: Station, trucks and ambulance

Post card caption: "Fire Station - South Hadley Falls Mass. Organized into Fire District 1 in 1858. Two pieces of modern equipment are now stationed on North Main Street."

Photo courtesy of the Old Firehouse Museum Board of Trustees



**South Hadley Firehouse circa 1974**

Caption: Taken in 1974 before moving to the new Fire Station at 144 Newton Street.  
Photo courtesy of the Trustees of the Old Firehouse Museum.



**Firehouse from the back circa 1975**



**Old Firehouse Museum from the front north circa 2013**

This view shows the sloped adjacent lot. This area was used by firefighters to clean equipment and thus, has meaningful historical significance for this district.



Circa 2020



**Circa 2020**



**Old Firehouse Museum, interior**

The Old Firehouse Museum serves as home for some of the most important historical artifacts of South Hadley.

Photo Credit: Diane LaRoche, 2024



### **Fred M. Smith Memorial Green**

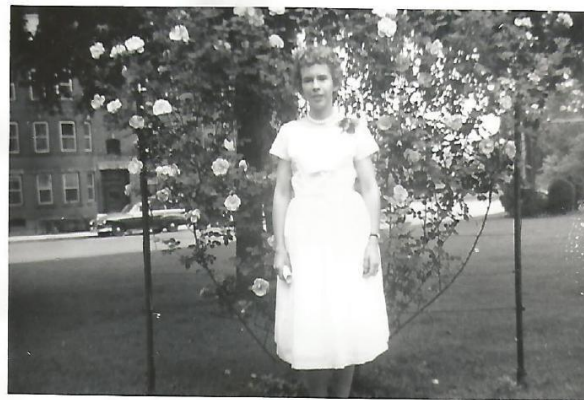
Inscription (top): “Dedicated to the memory of a local and patriotic citizen whose efficient and untiring service won the esteem, confidence and love of the people whom he served 1862-1928”

Inscription (bench): Nineteen Hundred Thirty; Tribute to our President Fred Merwin Smith; Holyoke Kiwanis Club

Photo Credit: Diane LaRoche, 2024



JUN 59



JUN 59



JUN 59

**Fred M. Smith Memorial Green**

Celebrating a graduation in the park adjacent to the working firehouse, showcasing the lovely gardens, June 1959.

Photo Courtesy of Diane LaRoche

## Bibliography

### Newspaper Articles:

- "Easthampton Votes to Have a School Superintendent". The Springfield Republican. March 12, 1889. Page 8, copyright by NewsBank and/or the American Antiquarian Society, 2004
- "Thomas Judge of South Hadley Falls will open a grocery store". The Springfield Republican. October 25, 1888. Page 6, copyright by NewsBank and/or the American Antiquarian Society, 2004
- Cronin, Irene. "The past through a photograph". Hampshire Weekend Gazette. December 31-January 1, 1995.
- Cronin, Irene. "The two reservoirs of Fire District 1." Hampshire Weekend Gazette. August 31-September 1, 1996.
- Cronin, Irene. "Of mills and fires." Hampshire Weekend Gazette. November 6-7, 1993.
- Cronin, Irene. "About volunteer fire companies." Hampshire Weekend Gazette. August 6-7, 1994.
- Murray, Mark M. "South Hadley Historical Museum preserves town history." The Republican. August 28, 2013.  
[https://www.masslive.com/living/2013/08/south\\_hadley\\_museum\\_preserves\\_town\\_history.html](https://www.masslive.com/living/2013/08/south_hadley_museum_preserves_town_history.html)

### Books and Reports

- Annual reports of the officers, Fire District No. 1 of the town of South Hadley, Massachusetts for the year ending 1879-95. Accessed through the Mount Holyoke College Archives. 2/14/24. <https://babel.hathitrust.org/cgi/pt?id=hvd.li36jv&seq=43>
- Cronin, Irene. Collected Articles on South Hadley History.
- Goodwin, Helen L., et al, 200th Anniversary Celebration; Town of South Hadley, Massachusetts, 1753-1953.
- Pioneer Valley Planning Commission. June 2004. South Hadley Community Development Plan.

### Firehouse Museum Information Sheets and Write ups

- Handout, The Old Firehouse Museum, "Fred Merwin Smith", also published in the South Hadley Town Reminder, date unknown. Provided by the Trustees of the Old Firehouse Museum.
- Handout, The Old Firehouse Museum, "Architectural Description: The Old Firehouse". Provided by the Trustees of the Old Firehouse Museum.
- Handout, The Old Firehouse Museum, "South Hadley Fire House Museum". Compiled for the South Hadley Historical Society in 2008 by Judy Van Handle.

### Photographs and Postcards

*(The photo of the Firehouse with the horses in front was taken by photographer Milan P. Warner best estimate 1896 and was subsequently used as postcards)*

- Warner, Milan P. "South Hadley Firehouse, North Main Street: Firemen wearing uniforms and white gloves are assembled around a fire hose wagon drawn by a white horse and decorated with a wreath and an American flag." Courtesy of Holyoke Public Library. <https://ark.digitalcommonwealth.org/ark:/50959/1v53k8318>
- Warner, Milan P. "South Hadley Firehouse circa 1896." Courtesy of the Trustees of The Old Firehouse Museum.

- Warner, Milan P. "Original engine house, Pioneer Hose Company No. 1, now the Old Firehouse Museum" South Hadley Public Library, Post Card Collection. <https://ark.digitalcommonwealth.org/ark:/50959/s4657b272>
- Postcard, "South Hadley Falls, Mass." Mount Holyoke Post Card Collection courtesy of Donna Albino. <https://www.mtholyoke.com/pcsite/pcs/images38/SHFalls01f.jpeg>. Accessed Feb 12, 2024.
- Postcard, "View up North Main Street." Mount Holyoke Post Card Collection courtesy of Donna Albino. <https://www.mtholyoke.com/pcsite/pcs/images38/SHFalls01f.jpeg>. Accessed Feb 12, 2024.
- Postcard, "Looking up North Main Street. South Hadley Falls Mass". Postcard mailed in 1909 shows the livery stable, jail, and firehouse. Courtesy of the Trustees of the Old Firehouse Museum.
- Photograph, "Fire Station - South Hadley Falls, Mass circa 1950s." Courtesy of the Trustees of the Old Firehouse Museum.
- Photograph, "Celebrating at Fred M. Smith Memorial Green." June 1959. Courtesy of Diane LaRoche.
- Photograph, "Fire Station - South Hadley Falls, Mass circa 1974." Courtesy of the Trustees of the Old Firehouse Museum.
- LaRoche, Diane. "Photo of Plaque." Fred M. Smith Memorial Green. 2024.
- LaRoche, Diane. "Photo of bench." Fred M. Smith Memorial Green. 2024.
- LaRoche, Diane. "Photos of the interior of the Old Firehouse Museum." 2024.

### **Meeting Minutes**

- "Minutes of the South Hadley Selectboard Meeting Tuesday, April 2, 2013". Published on the South Hadley Town website. [https://www.southhadley.org/AgendaCenter/ViewFile/Minutes/\\_04022013-239](https://www.southhadley.org/AgendaCenter/ViewFile/Minutes/_04022013-239). Accessed 3/14/24.

## Ordinance of Bylaw

The Town of South Hadley hereby establishes the Old Firehouse Museum Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, as amended.

### 1. PURPOSE

The purpose of this bylaw is to aid in the preservation and protection of the distinctive characteristics and architecture of buildings and places significant in the history of the Town of South Hadley, the maintenance and improvement of their settings and the encouragement of new building designs compatible with the existing architecture.

### 2. DEFINITIONS

The terms defined in this section shall be capitalized throughout this Bylaw. Where a defined term has not been capitalized, it is intended that the meaning of the term be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context. As used in this Bylaw the following terms shall have the following meaning:

**ALTERATION, TO ALTER** – The act or the fact of rebuilding, reconstruction, restoration, replication, removal, demolition, and other similar activities.

**BUILDING** – A combination of materials forming a shelter for persons, animals or property.

**CERTIFICATE** – A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship as set forth in this Bylaw.

**COMMISSION** – The Historic District Commission as established in this Bylaw.

**CONSTRUCTION, TO CONSTRUCT** – The act or the fact of building, erecting, installing, enlarging, moving and other similar activities.

**DISPLAY AREA** – The total surface area of a SIGN, including all lettering, wording, designs, symbols, background and frame, but not including any support structure or bracing incidental to the SIGN. The DISPLAY AREA of an individual letter SIGN or irregular shaped SIGN shall be the area of the smallest rectangle into which the letters or shape will fit. Where SIGN faces are placed back to back and face in opposite directions, the DISPLAY AREA shall be defined as the area of one face of the SIGN.

**DISTRICT** – The Local Historic District as established in this Bylaw consisting of one or more DISTRICT areas.

**EXTERIOR ARCHITECTURAL FEATURE** – Such portion of the exterior of a BUILDING or STRUCTURE as is open to view from a public way or ways, including but not limited to architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

PERSON AGGRIEVED – The applicant; an owner of adjoining property; an owner of property within the same DISTRICT area; an owner of property within 100 feet of said DISTRICT area; and any charitable corporation in which one of its purposes is the preservation of historic places, structures, BUILDINGS or districts.

SIGNS – Any symbol, design or device used to identify or advertise any place of business, product, activity or person.

STRUCTURE – A combination of materials other than a BUILDING, including but not limited to a SIGN, fence, wall, terrace, walk or driveway.

TEMPORARY STRUCTURE or BUILDING – A BUILDING not to be in existence for a period of more than two years. A STRUCTURE not to be in existence for a period of more than one year. The COMMISSION may further limit the time periods set forth herein as it deems appropriate.

### 3. DISTRICT

The DISTRICT shall consist of one DISTRICT area as listed in Section 13 (Appendices) of this Bylaw.

### 4. COMMISSION

4.1 The DISTRICT shall be overseen by a COMMISSION consisting of seven members, to be appointed by the Selectboard, two members initially to be appointed for one year, two for two years, and two for three years, and each successive appointment to be made for three years.

4.2 The COMMISSION shall include, if possible, one member from two nominees solicited from the South Hadley Historical Society, one member from two nominees solicited from the chapter of the American Institute of Architects covering South Hadley; one member from two nominees solicited from licensed realtors covering South Hadley; and a representative of the Old Firehouse Museum Board of Trustees appointed by the Selectboard. If within thirty days after submission of a written request for nominees to any of the organizations herein named insufficient nominations have been made, the Selectboard may proceed to make appointments as it desires.

4.3 The Selectboard may appoint up to four alternate members to the COMMISSION. Each alternate member shall have the right to act and vote in the place of one regular member should such regular member be absent from a meeting or be unwilling or unable to act or vote. Said alternate members shall initially be appointed for terms of two or three years, and for three year terms thereafter.

4.4 Each member and alternate member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

4.5 Meetings of the COMMISSION shall be held at the call of the Chair, at the request of two members and in such other manner as the COMMISSION shall determine in its Rules and Regulations.

4.6 Four members of the COMMISSION shall constitute a quorum.

## 5. COMMISSION POWERS AND DUTIES

5.1 The COMMISSION shall exercise its powers in administering and regulating the CONSTRUCTION and ALTERATION of any STRUCTURES or BUILDINGS within the DISTRICT as set forth under the procedures and criteria established in this Bylaw. In exercising its powers and duties hereunder, the COMMISSION shall pay due regard to the distinctive characteristics of each BUILDING, STRUCTURE and DISTRICT area.

5.2 The COMMISSION may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this Bylaw or M.G.L. Chapter 40C, setting forth such forms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of applications for CERTIFICATES, fees, hearing procedures and other matters. The COMMISSION shall file a copy of any such Rules and Regulations with the office of the Town Clerk.

5.3 The COMMISSION, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall and in a news source of general circulation in South Hadley such as the Town Reminder, may adopt and from time to time amend guidelines which set forth the designs for certain EXTERIOR ARCHITECTURAL FEATURES which are, in general, suitable for the issuance of a CERTIFICATE. No such design guidelines shall limit the right of an applicant for a CERTIFICATE to present other designs to the COMMISSION for approval.

5.4 The COMMISSION shall at the beginning of each fiscal year hold an organizational meeting and elect a Chair, a Vice Chair and Secretary, and file notice of such election with the office of the Town Clerk.

5.5 The COMMISSION shall keep a permanent record of its resolutions, transactions, decisions and determinations and of the vote of each member participating therein.

5.6 The COMMISSION shall undertake educational efforts to explain to the public and property owners the merits and functions of a DISTRICT.

## 6. ALTERATIONS AND CONSTRUCTION PROHIBITED WITHOUT A CERTIFICATE

6.1 Except as this Bylaw provides, no BUILDING or STRUCTURE or part thereof within a DISTRICT shall be CONSTRUCTED or ALTERED in any way that affects the EXTERIOR ARCHITECTURAL FEATURES as visible from a public way, unless the COMMISSION shall first have issued a CERTIFICATE with respect to such CONSTRUCTION or ALTERATION.

6.2 No building permit for CONSTRUCTION of a BUILDING or STRUCTURE or for ALTERATION of an EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT and no demolition permit for demolition or removal of a BUILDING or STRUCTURE within a DISTRICT shall be issued by the Town or any department thereof until a CERTIFICATE as required under this Bylaw has been issued by the COMMISSION.

## 7. PROCEDURES FOR REVIEW OF APPLICATIONS

7.1 Any person who desires to obtain a CERTIFICATE from the COMMISSION shall file with the COMMISSION an application for a CERTIFICATE of Appropriateness, of Non-Applicability or of Hardship, as the case may be. The application shall be accompanied by such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the COMMISSION to enable it to make a determination on the application.

7.2 The COMMISSION shall determine within fourteen (14) days of the filing of an application for a CERTIFICATE whether said application involves any EXTERIOR ARCHITECTURAL FEATURES which are within the jurisdiction of the COMMISSION.

7.3 If the COMMISSION determines that an application for a CERTIFICATE does not involve any EXTERIOR ARCHITECTURAL FEATURES, or involves an EXTERIOR ARCHITECTURAL FEATURE which is not subject to review by the COMMISSION under the provisions of this Bylaw, the COMMISSION shall forthwith issue a CERTIFICATE of Non-Applicability.

7.4 If the COMMISSION determines that such application involves any EXTERIOR ARCHITECTURAL FEATURE subject to review under this Bylaw, it shall hold a public hearing on the application, except as may otherwise be provided in this Bylaw. The COMMISSION shall hold such a public hearing within forty-five (45) days from the date of the filing of the application. At least fourteen (14) days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall and in a news source of general circulation in South Hadley such as the Town Reminder. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the COMMISSION to be materially affected thereby, all as they appear on the most recent applicable tax list, to the Planning Board, to any person filing a written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the COMMISSION shall deem entitled to notice.

7.4.1 A public hearing on an application for a CERTIFICATE need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application for a CERTIFICATE may be waived by the COMMISSION if the COMMISSION determines that the EXTERIOR ARCHITECTURAL FEATURE involved, or its category, is so insubstantial in its effect on the DISTRICT that it may be reviewed by the COMMISSION without a public hearing. If the COMMISSION dispenses with a public hearing on an application for a CERTIFICATE, notice of such application shall be given to the owners of all adjoining property and of other property deemed by the COMMISSION to be materially affected thereby as above provided, and ten (10) days shall elapse after the mailing of such notice before the COMMISSION may act upon such application.

7.5 Within sixty (60) days after the filing of an application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall issue a CERTIFICATE or a disapproval. In the case of a disapproval of an application for a CERTIFICATE, the COMMISSION shall set forth in its disapproval the reasons for such

disapproval. The COMMISSION may include in its disapproval specific recommendations for changes in the applicant's proposal with respect to the appropriateness of design, arrangement, texture, material and similar features which, if made and filed with the COMMISSION in a subsequent application, would make the application acceptable to the COMMISSION.

7.6 The concurring vote of a majority of the members shall be required to issue a CERTIFICATE.

7.7 In issuing CERTIFICATES, the COMMISSION may, as it deems appropriate, impose certain conditions and limitations, and may require architectural or plan modifications consistent with the intent and purpose of this Bylaw.

7.8 If the COMMISSION determines that the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the DISTRICT, the COMMISSION shall issue a CERTIFICATE of Appropriateness.

7.9 If the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a CERTIFICATE of Hardship, the COMMISSION shall determine whether, owing to conditions especially affecting the BUILDING or STRUCTURE involved, but not affecting the DISTRICT generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this Bylaw. If the COMMISSION determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, the COMMISSION shall issue a CERTIFICATE of Hardship.

7.10 The COMMISSION shall send a copy of its CERTIFICATES and disapprovals to the applicant and shall file a copy of its CERTIFICATES and disapprovals with the office of the Town Clerk and the Building Commissioner. The date of issuance of a CERTIFICATE or disapproval shall be the date of the filing of a copy of such CERTIFICATE or disapproval with the office of the Town Clerk.

7.11 If the COMMISSION should fail to issue a CERTIFICATE or a disapproval within sixty (60) days of the filing of the application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall thereupon issue a CERTIFICATE of Hardship Due to Failure to Act.

7.12 Each CERTIFICATE issued by the COMMISSION shall be dated and signed by its Chair or such other person designated by the COMMISSION to sign such CERTIFICATES on its behalf.

7.13 A PERSON AGGRIEVED by a determination of the COMMISSION may, within twenty (20) days of the issuance of a CERTIFICATE or disapproval, file a written request with the COMMISSION for a review by a person or persons of competence and

experience in such matters, acting as arbitrator and designated by the regional planning agency. The finding of the person or persons making such review shall be filed with the Town Clerk within forty-five (45) days after the request, and shall be binding on the applicant and the COMMISSION, unless a further appeal is sought in the Superior Court as provided in Chapter 40C, Section 12A. The filing of such further appeal shall occur within twenty (20) days after the finding of the arbitrator has been filed with the office of the Town Clerk.

## 8. CRITERIA FOR DETERMINATIONS

8.1 In deliberating on applications for CERTIFICATES, the COMMISSION shall consider, among other things, the historic and architectural value and significance of the site, BUILDING or STRUCTURE; the general design, proportions, detailing, mass, arrangement, texture, and material of the EXTERIOR ARCHITECTURAL FEATURES involved; and the relation of such EXTERIOR ARCHITECTURAL FEATURES to similar features of BUILDINGS and STRUCTURES in the surrounding area.

8.2 In the case of new CONSTRUCTION or additions to existing BUILDINGS or STRUCTURES, the COMMISSION shall consider the appropriateness of the scale, shape and proportions of the BUILDING or STRUCTURE both in relation to the land area upon which the BUILDING or STRUCTURE is situated and in relation to BUILDINGS and STRUCTURES in the vicinity. The COMMISSION may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable statute or bylaw.

8.3 When ruling on applications for CERTIFICATES on solar energy systems as defined in Section 1A of Chapter 40A, the COMMISSION shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access.

8.4 The COMMISSION shall not consider interior arrangements or architectural features not subject to public view from a public way.

## 9. EXCLUSIONS

9.1 The COMMISSION shall exclude from its purview the following:

9.1.1 Temporary BUILDINGS, STRUCTURES or SIGNS subject, however, to conditions pertaining to the duration of existence and use, location, lighting, removal and similar matters as the COMMISSION may reasonably specify. Consideration would be given to educational displays and resources useful for the mission of the Museum and District.

9.1.2 Terraces, walks, driveways, sidewalks and similar STRUCTURES, provided that any such STRUCTURE is substantially at grade level.

9.1.3 Storm windows and doors, screen windows and doors, and window air conditioners.

9.1.4 The color of paint.

9.1.5 The color of materials used on roofs.

9.1.6 Signs of not more than two (2) square feet in DISPLAY AREA in-connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly; and one sign in connection with the nonresidential use of each BUILDING or STRUCTURE which is not more than six (6) square feet in DISPLAY AREA, consists of letters painted on wood without symbol or trademark and if illuminated is illuminated indirectly.

9.1.7 The reconstruction, substantially similar in exterior design, of a BUILDING, STRUCTURE or EXTERIOR ARCHITECTURAL FEATURE damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

9.2 Upon request the COMMISSION shall issue a CERTIFICATE of Non-Applicability with respect to CONSTRUCTION or ALTERATION in any category not subject to review by the COMMISSION in accordance with the above provisions.

9.3 Nothing in this Bylaw shall be construed to prevent the ordinary maintenance, repair or replacement of any EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT which does not involve a change in design, material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any CONSTRUCTION or ALTERATION under a permit duly issued prior to the effective date of this Bylaw.

## 10. CATEGORICAL APPROVAL

The COMMISSION may determine from time to time after a public hearing, duly advertised and posted at least fourteen (14) days in advance in a conspicuous place in Town Hall and in a news source of general circulation in South Hadley such as the Town Reminder, that certain categories of EXTERIOR ARCHITECTURAL FEATURES, STRUCTURES or BUILDINGS under certain conditions may be CONSTRUCTED or ALTERED without review by the COMMISSION without causing substantial derogation from the intent and purpose of this Bylaw.

## 11. ENFORCEMENT AND PENALTIES

11.1 The COMMISSION shall determine whether a particular activity is in violation of this Bylaw or not, and the COMMISSION shall be charged with the enforcement of this Bylaw.

11.2 The COMMISSION, upon a written complaint of any resident of South Hadley, or owner of property within South Hadley, or upon its own initiative, shall institute any appropriate action or proceedings in the name of the Town of South Hadley to prevent, correct, restrain or abate violation of this Bylaw. In the case where the COMMISSION is requested in writing to enforce this Bylaw against any person allegedly in violation of same and the COMMISSION declines to act, the COMMISSION shall notify, in writing, the party requesting such enforcement of any action or refusal to act and the reasons therefore, within twenty one (21) days of receipt of such request.

11.3 Whoever violates any of the provisions of this Bylaw shall be punishable by a fine of \$25.00 to \$200.00 for each offense, payable to a fund for the preservation of the DISTRICT. Each day during any portion of which such violation continues to exist shall constitute a separate offense.

11.4 The COMMISSION may designate the Building Commissioner of the Town of South Hadley to act on its behalf and to enforce this Bylaw under the direction of the COMMISSION.

## 12. VALIDITY AND SEPARABILITY

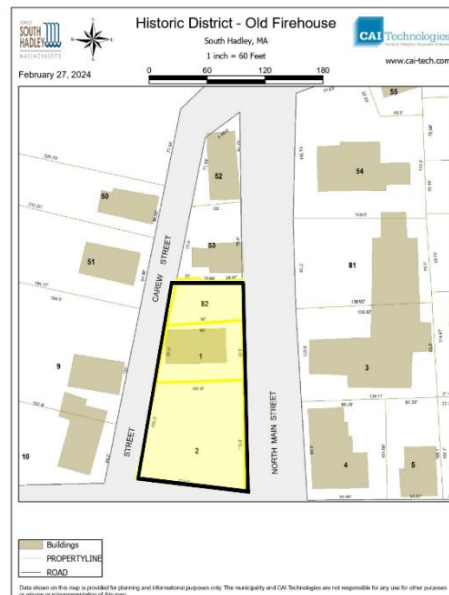
The provisions of this Bylaw shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Bylaw shall continue to be in full force and effect.

## 13. APPENDICES

Appendix 1:

South Hadley Old Firehouse Museum District

The South Hadley Old Firehouse Museum District shall be a DISTRICT area under this Bylaw. The Location and boundaries of the South Hadley Old Firehouse Museum District are defined and shown on the Local Historic District Map of the Town of South Hadley, which is a part of this Bylaw. Sheet 1 is based on the current Assessor's map and is current to January 1, 2023. The delineation of the DISTRICT area boundaries is based on the parcel boundaries then in existence and shown therein, except as otherwise apparent on Sheet 1.



Sheet 1: Proposed boundaries of the South Hadley Old Firehouse Museum Local Historic District