

CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

- President Gina-Louise Sciarra, At-Large
- William H. Dwight, At-Large
- Michael J. Quinlan, Jr., Ward 1
- Karen Foster, Ward 2
- Vice-President James Nash, Ward 3
- John Thorpe, Ward 4
- Alex Jarrett, Ward 5
- Marianne L. LaBarge, Ward 6
- Rachel Maiore, Ward 7

Meeting Agenda
On-line Video Conference
Meeting Date: March 4, 2021
Meeting Time: 7 p.m.

The March 4, 2021 City Council meeting will be held via remote participation. The public can follow the council's deliberations by watching the meeting live on Comcast channel 15, live-streaming it on YouTube or joining the virtual meeting by phone or computer. For the active YouTube link, please see Northampton Open Media's website: <http://northamptonopenmedia.org/>

Live public comment will be available using telephone call-in or video conferencing technology beginning at 7 p.m.

INSTRUCTIONS FOR CALLING IN OR JOINING THE MEETING

Join virtual meeting: <http://bit.ly/2NHH3Fg>

For telephone call-in, call:

+253 215-8785 US

+301 715-8592 US

MEETING ID: 968 4335 6208

PARTICIPANT#: #

PASSCODE: 566829

1. Announcement that Meeting is Being Held Via Remote Participation and Audio/Video Recorded

This meeting is being held via remote participation and audio/video recorded.

2. Public Comment

3. Roll Call

4. Public Hearings

A. Announcement of a public hearing concerning the Northampton Capital Improvement Program for FY2022-FY2026 - Thursday, March 18, 2021

In accordance with Article 7, Section 7-5 of the Charter, the Northampton City Council will hold a public hearing via remote participation on Thursday, March 18, 2021 at 7:05 p.m. The City Council will consider the Capital Improvement Program for FY2022-FY2026, and hear all persons who wish to be heard thereon. Instructions for accessing the hearing will be posted on the March 18, 2021 City Council agenda to be posted no later than 48 hours prior to the meeting on the city website at www.northamptonma.gov. The CIP is available for inspection [here](#).

B. Announcement of a public hearing to consider FY 2022 Water and Sewer Rates

The Northampton City Council will hold a public hearing by remote participation on Thursday, March 18, 2021 @ 7:15 p.m. The City Council will consider the proposed FY2022 water and sewer rates and hear all persons who wish to be heard thereon. Instructions for accessing the hearing may be found on the March 18, 2021 City Council agenda to be posted on the city website, www.northamptonma.gov, no later than 48 hours prior to the meeting.

5. Updates from Council President and Committee Chairs

6. Recognitions and One-Minute Announcements by Councilors

7. Communications and Proclamations from the Mayor

8. Resolutions

A. 21.201 A Resolution in Opposition to State Incentives for Biomass Plants - 1st reading

Documents:

9. Presentations

10. Consent Agenda

A. Minutes of February 4, 2021

Documents:

[02-04-2021_City Council Minutes.pdf](#)

**B. 21.206 Appointment of David Whitehill to the Planning Board
- for referral to City Services**

Planning Board

David Whitehill (Full Member), 60 Washington Avenue, Northampton

Term: March 2021-June 2022

To fill the term of resigned full member, Alan Verson

Documents:

[21.206 Appointment of David Whitehill to the Planning Board.pdf](#)

11. Recess for Committee on Finance (See Separate Agenda)

12. Financial Orders (on 1st reading pending Finance review)

Rule 2.6 requires the Finance Committee to consider certain financial matters.

**A. 21.202 An Order to Authorize Acceptance of Gifts of Labor
and Materials for Sidewalk Repair or Replacement - 1st
reading**

Documents:

[21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials
for Sidewalk Repair or Replacement.pdf](#)

**B. 21.203 An Order to Discontinue a Portion of Sherman
Avenue - 1st reading**

Documents:

13. Financial Orders (on 2nd reading)

A. **21.194 An Order to Rescind Borrowing Authority - 3 Votes - 2nd reading**

History:

- Positive recommendation, Finance Committee - 2/18/2021
- Passed 1st reading - 2/18/2021

Documents:

[21.194 An Order to Rescind Borrowing Authority - 3 Votes.pdf](#)

B. **21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 2nd reading**

History:

- Positive recommendation, Finance Committee - 2/18/2021
- Passed 1st reading - 2/18/2021

Documents:

[21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement.pdf](#)

C. **21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 2nd reading**

History:

- Positive recommendation, Finance Committee - 2/18/2021
- Passed 1st reading - 2/18/2021

Documents:

[21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility.pdf](#)

14. Orders

15. Ordinances (Not yet Referred)

Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

A. **21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue**

Documents:

B. 21.199 An Ordinance Relative to Stop Signs on Cross Street

Documents:

[21.199 An Ordinance Relative to Stop Signs on Cross Street.pdf](#)

16. Ordinances

A. 20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings

Documents:

[20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings.pdf](#)

17. Package of Zoning Amendments to Allow Two-Families by Right in All Residential Zoning Districts - 1st reading

History:

- Referred to Planning Board and Legislative Matters - 12/17/2020
- Joint Public Hearing Held/Public Hearing Closed - 1/14/2021
- Joint Meeting to Deliberate/Make Respective Recommendations - 2/8/2021
- On a split vote of 6:2 (Christa Grenat and Alan Verson opposed, Samuel Taylor absent), the Planning Board voted to recommend nine out of 10 ordinances to move forward to the city council (pulling out 20.169) with no substantive edits - 2/8/2021
- Legislative Matters unanimously (4:0) approved the package of ordinances as amended with a positive recommendation with the exception of 20.169 - 2/8/2021

A. 20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions

Documents:

[20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions.pdf](#)

B. 20.164 An Ordinance Relative to Two-Family By Right - Amendment to URA Table of Use

Documents:

[20.164 An Ordinance Relative to Two-Family By Right - MODIFIEDAmendment to URA Table of Use.pdf](#)

C. 20.165 An Ordinance Relative to Two-Family By Right - Amendment to URB-URC Tables of Use

Documents:

[20.165 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to URB-URC Tables of Use.pdf](#)

D. 20.166 An Ordinance Relative to Two-Family By Right - Addition of Subsection to Ch. 350-6

Documents:

[20.166 An Ordinance Relative to Two-Family By Right - MODIFIED2-5-21 Addition of Subsection to Ch. 350-6.pdf](#)

E. 20.167 An Ordinance Relative to Two-Family By Right - Addition of WSP District Table of Use

Documents:

[20.167 An Ordinance Relative to Two-Family By Right - MODIFIED Addition of WSP District Table of Use.pdf](#)

F. 20.168 An Ordinance Relative to Two-Family By Right - Amendment to SR-RR Table of Use

Documents:

[20.168 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to SR-RR Table of Use.pdf](#)

G. 20.169 An Ordinance Relative to Two-Family By Right - Amendment to Projects Requiring Site Plan Approval

Process note: The planning department has made a written request to withdraw this ordinance from the package.

Documents:

[20.169 An Ordinance Relative to Two-Family By Right - MODIFIED Amendment to Projects Requiring Site Plan Approval.pdf](#)

H. 20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11

Documents:

[20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11.pdf](#)

I. 20.171 An Ordinance Relative to Two-Family By Right - Amendment to Parking Standards

Documents:

[20.171 An Ordinance Relative to Two-Family By Right - MODIFIED
Amendment to Parking Standards.pdf](#)

**J. 20.172 An Ordinance Relative to Two-Family By Right -
Amendment to SC Table of Use**

Documents:

[20.172 An Ordinance Relative to Two-Family By Right - Amendment to SC
Table of Use.pdf](#)

**18. Information Requests (Charter Provision 2-7) and Committee Study
Requests**

19. New Business

20. Adjourn

Contact: G-L Sciarra, Council President
glsciarra@northamptonma.gov
(413) 570-3133



City of Northampton

MASSACHUSETTS

In the City Council, March 4, 2021

Upon the Recommendation of: Councilor Alex Jarrett
 Councilor Rachel Maiore
 Northampton Energy and Sustainability Commission

R-21.201

A RESOLUTION IN OPPOSITION TO STATE INCENTIVES FOR BIOMASS PLANTS

- WHEREAS, the City of Northampton is committed to ensuring and safeguarding the health, safety, and environment of the residents of our community; and
- WHEREAS, wood-burning biomass plants are a highly polluting form of energy generation, known to release pollutants including fine particulate matter, volatile organic compounds, nitrogen oxides, carbon monoxide, and carbon dioxide; and
- WHEREAS, the Commonwealth adopted science-driven Renewable Portfolio Standard (RPS) regulations in 2012 recognizing that wood-burning power plants emit more carbon dioxide than fossil fuel power plants per unit of energy generated; and
- WHEREAS, due to the 2012 RPS regulations, the only wood-burning biomass plants eligible for Massachusetts renewable energy incentives have been small, efficient combined-heat-and-power biomass plants; and
- WHEREAS, if the weakened RPS regulations proposed in December 2020 by the Massachusetts Department of Energy Resources (DOER) go into effect, Massachusetts incentives would be available for inefficient large-scale biomass power plants; and
- WHEREAS, the proposed RPS regulations would wrongly incentivize the construction of a large-scale wood-burning biomass plant proposed by Palmer Renewable Energy in Springfield, an Environmental Justice community already heavily burdened by industrial air pollution and by record-setting rates of asthma and other respiratory illnesses; and

WHEREAS, particulate and gaseous pollution from the planned Palmer Renewable Energy plant would increase hazardous pollution throughout the Pioneer Valley; and

WHEREAS, our City stands in solidarity with the residents of the City of Springfield, and the Springfield City Council, which passed a resolution on December 21, 2020, opposing Massachusetts state incentives for wood-burning biomass plants,

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton opposes any state incentives for inefficient commercial wood-burning biomass plants in the Commonwealth of Massachusetts; and

BE IT FURTHER RESOLVED that the Council calls upon the Massachusetts DOER to revise the proposed RPS regulations by returning the woody biomass provisions to their previous, science-based language; and

BE IT FURTHER RESOLVED that the Council calls upon the Joint Committee on Telecommunications, Utilities, and Energy of the Massachusetts Legislature to hold an accessible public hearing on said proposed RPS regulations; and

BE IT FURTHER RESOLVED that the Council urges its State Legislative Delegation to support state legislation to remove and bar taxpayer and ratepayer incentives for inefficient commercial biomass power plants in the Commonwealth of Massachusetts by making them ineligible to meet the requirements of the Renewable Portfolio Standard; and

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Representative Lindsay Sabadosa and Senator Jo Comerford, as well as Governor Charles Baker, DOER Commissioner Patrick Woodcock, and the Co-Chairs and Vice Co-Chairs of the Joint Committee on Telecommunications, Utilities, and Energy, Senators Mike Barrett and Mark Pacheco and Representatives Jeffrey Roy and Paul Mark.



Roll Call

*CITY COUNCIL MEETING
CONDUCTED AS AN ON-LINE ZOOM MEETING
Northampton, MA*

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:01 p.m. on a roll call the following City Councilors were present:

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|--|--------------------------------------|
| At-Large Councilor Gina-Louise Sciarra | At-Large Councilor William H. Dwight |
| Ward 1 Councilor Michael J. Quinlan, Jr. | Ward 5 Councilor Alex Jarrett |
| Ward 2 Councilor Karen Foster | Ward 6 Councilor Marianne LaBarge |
| Ward 3 Councilor James B. Nash | Ward 7 Councilor Rachel Maiore |
| Ward 4 Councilor John Thorpe | |

Announcement of Audio/Video Recording

Councilor Sciarra announced that the meeting was being held via remote participation and audio and video recorded.

PUBLIC COMMENT

PUBLIC COMMENT

Ace Tayloe of Fruit Street, (they/them), speaking on behalf of the Northampton Housing Partnership, said the partnership would like to speak in support of the ordinance to create an incentive for smaller houses by allowing two half-scale houses to count as one single-family house for density purposes.

Public Hearings Announcement of Public Hearing on 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road

Public Hearings

Announcement of Public Hearing on 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road

Councilor Sciarra read the following announcement: Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, February 18, 2021 at 7:15 p.m.** on the petition of National Grid to install underground conduit and associated fixtures on Hockanum Road (Petition# 16315676). Instructions for accessing the hearing may be found on the February 18, 2021 City Council agenda to be posted on the city website (www.northamptonma.gov) at least 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon.

Announcement of Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street

Announcement of Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street

Councilor Sciarra read the following announcement: In accordance with M.G.L. Chapter 148, Section 13, Big Y Foods, Inc. has submitted an application for a License for Storage of Flammables and Combustibles for two (2) 20,000-gallon underground fuel storage tanks: one (1) 20,000-gallon gasoline and one (1) 20,000-gallon split tank (10K gasoline/10Kdiesel) within the existing Big Y Supermarket parking lot at 138 North King Street. The City Council will hold a public hearing by remote participation on **Thursday, February 18, 2021 at 7:05 p.m.** Instructions for accessing the hearing may be found on the February 18, 2021 City Council agenda to be posted on the city website (www.northamptonma.gov) at least 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon. The City Council meeting begins at 7 p.m.

Public hearing on package of National Grid/Verizon Pole Petitions to install, relocate and/or remove a total of 37 utility poles on Damon Road and four (4) utility poles on Bridge

Public hearing on package of National Grid/Verizon Pole Petitions to install, relocate and/or remove a total of 37 utility poles on Damon Road and four (4) utility poles on Bridge Road in connection with the MassDOT Damon Road reconstruction project

Councilor Sciarra read the legal notice.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The public hearing was opened at 7:10 p.m.

Councilor Sciarra read memos (two) from Dawn Nims, Department of Public Works (DPW) Staff Civil Engineer, dated January 14, 2021 regarding petitions for joint and single-ownership pole installations, relocations and removals on Damon Road and Bridge Road.

<p><u>Road in connection with the MassDOT Damon Road reconstruction project</u></p>	<p>Lisa Jasinski and Dan Lopez were present on behalf of National Grid.</p> <p>The only utility pole in question was P7-25, which was closer to a fire hydrant than allowed, Mr. Lopez said. He offered to forward this information to MassDOT. [Due to audio problems, Mr. Lopez's voice was intermittently inaudible.]</p> <p>She will follow up to make sure the correct people are notified that the pole needs to be moved to provide the correct amount of clearance from the fire hydrant, Ms. Jasinski added. The relocation of the poles has to do with the road widening project for Damon Road, she confirmed. She asked Mr. Lopez if he has heard from any abutters with complaints or concerns about the proposed work.</p> <p>No, he said.</p> <p>Councilor Sciarra asked if any proponents wished to speak. Hearing none, she offered the opportunity to speak to opponents. No one spoke.</p> <p>Mrs. Krutzler confirmed she sent out 35 postcards to abutters of the project.</p> <p>Councilor Dwight expressed his understanding that since the work is associated with the widening of Damon Road, the poles will be set back deeper in the abutting properties.</p> <p>The main line of poles runs on the south side of Damon Road so the people on the south side will be most affected, Ms. Jasinski advised. The ones on the north side already sit fairly close to the road as it is.</p> <p>He knows part of the project is creation of a sidewalk system, Councilor Dwight continued. He said he assumed National Grid is in contact and collaborating with design consultants so they don't end up with a pole in the middle of a sidewalk.</p> <p>Ms. Jasinski said this would usually be discussed with the contractor (in this case, MassDOT) in the course of a site visit. She asked Mr. Lopez if he could confirm that the relocations wouldn't interfere with any sidewalks.</p> <p>The pole locations were discussed thoroughly, and no poles should interfere with any sidewalks, Mr. Lopez confirmed.</p> <p>Councilor Quinlan expressed his understanding that the council is being asked to approve the petition but that the DPW director has asked for updated information. He asked whether this request needed to be satisfied prior to the council's approval.</p> <p>DPW Director Donna LaScaleia, who was present for another agenda item, informed councilors that before utility poles can be installed, which is considered an alteration of the public way, a trench permit must be issued by the DPW. In this case, she is holding the trench permits for this project pending the City Council's approval of the petitions tonight. Prior to releasing those trench permits, she will follow up with National Grid to close the loop on any outstanding items.</p> <p>There being no further comments, upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the public hearing was closed at 7:23 p.m. The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor Dwight moved approval of the pole petitions as a package with the terms and conditions as recommended by the DPW. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>Ms. Jasinski asked that copies of the DPW memos be forwarded to her.</p>
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<p><u>I Updates from Council President/ Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u></p> <p>There will be a joint meeting of the Planning Board and Legislative Matters on the 25th to discuss the two-family housing ordinances that will be returning to this body, Councilor Dwight announced. [Mrs. Krutzler corrected that the meeting date is actually Monday, February 8th.]</p>
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<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u></p> <p>The Northampton Policing Review Commission (NPRC) has a big week coming up, Councilor Quinlan related. The Policing Policies and Practices subcommittee is meeting Monday, February 8th and will be joined by Police Chief Jody Kasper for a question and answer period. On Wednesday, the Alternatives to Policing subcommittee will also be joined by Chief Kasper. Thursday, February 9th, the full commission will hold the second of three public hearings beginning at 6 p.m.</p> <p>The date of the public hearing is Thursday, February 11th, Councilor Jarrett corrected.</p> <p>Dr. Joanne Levin of the Cooley Dickinson Hospital (CDH) has emailed the council to say there are openings for adults 70+ for vaccine appointments tomorrow if they sign up tonight through the department of health website, Councilor Foster shared.</p>
<p><u>Communications and Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u></p> <p>At the request of Councilor Jarrett and in light of a resolution the council is taking up later in the meeting, Mayor Narkewicz updated councilors on the city's progress on exploring the feasibility of municipal broadband. As councilors probably know, the city did its first study of this issue in the summer of 2016. City officials hired an outside consultant, Percipio Industries, LLC to take a look at the city's fiber network and the possibility of expanding it into a municipal broadband network. That was a cursory, introductory study and one of its recommendations was to pursue a broader marketing feasibility study. As part of the Capital Improvement Program (CIP) for FY2020-2024, the City Council ultimately approved two appropriations totaling \$70,000 to fund a marketing analysis along with a feasibility study. He put together an ad hoc advisory committee to help develop an RFP, evaluate proposals and conduct interviews comprised of Chief Information Officer (CIO) Antonio Pagan, Chief of Staff Alan Wolf, Councilor Bill Dwight, Executive Director of Northampton Open Media (NOM) Al Williams and members of the Northampton Community Network, an advocacy group for municipal broadband composed of Mark Hamill, Carl Townsend, Lee Feldscher and Pennington Geis.</p> <p>With their input they were able to develop an RFP for this two-phase study that was ultimately issued. The city received bids from multiple companies. A smaller subset of the committee (a group of four) conducted interviews with vendors. Ultimately in early October, the entire advisory committee unanimously recommended that the city select a company called Design Nine to perform the study. He accepted that recommendation and began putting together a contract, and the contract was executed in October.</p> <p>Design Nine has been working on the first piece, which is the marketing analysis. This consists of going out to the public and consumer base and getting an idea of how much interest there would be in the community to buy into and support a local network. Design Nine has been working on a survey to accomplish that, and the goal is to launch it in the coming weeks. They are also working on a paper survey to be mailed to folks as they are conscious of the digital divide and the fact that some may not have access to the internet. This will hopefully give them some of the feedback they need in terms of the market feasibility.</p> <p>The 2nd phase, depending on the results of the first, would be the nuts and bolts of how to construct a network. That is a much more technical analysis looking at the current layout of the city and where there is existing fiber. This would include information about the cost and capital investment needed as well as potential models for how a system could operate. They are well on their way; it's been launched and they hope to have the public outreach for this happening very soon. He will let councilors know so they can put the survey out to constituents to get as much public participation as possible. Design Nine has done this for many other municipalities so they do bring that experience.</p> <p>They are more local than the other candidates and are smaller, giving them adaptability and pliability that wouldn't necessarily exist in a larger corporation more experienced in analyzing larger urban systems, Councilor Dwight shared. Design Nine had a responsiveness and understanding of the size and type of New England community that's facing some unique challenges that other businesses would just be getting up to speed with. Design Nine was the</p>

clear winner. He is pretty confident about and looking forward to their final report.

In June of 2020 (FY2020), the City Council took the first of two required votes on establishing a municipal light plant. He will likely bring a similar vote forward this June with information from the study. He is trying to keep things on track and keep their options open.

The marketing study will be very interesting. This is something they heard loud and clear from Westfield which, even though it has a fully-operating gas and electric utility and control of the utility poles, still needed to be clear for the type of investment necessary that there actually was a market for municipal broadband. They actually used the marketing analysis to decide where to pilot broadband in the city, using neighborhoods that responded most favorably as 'fiberhoods' for pilot purposes. Northampton is very different because it does not have a municipal electric company. Because the infrastructure does not exist their model will be very different from ones discussed in Holyoke, Chicopee and Westfield where they already have public utilities.

They will try to mail the survey to all residents, he confirmed. Director Pagan has been in contact with the City Clerk about the possibility of including it in the census, and she is slated to discuss this with the Board of Registrars

In response to a question from Councilor LaBarge, Mayor Narkewicz said Design Nine's corporate headquarters are in Blackbird, Virginia. They have principals based in New England.

Resolutions
21.193 Resolution
Opposing Internet
Data Caps and
Committing to
Achieving Just
Internet Access
and Affordability -
1st reading

Resolutions
21.193 A Resolution Opposing Internet Data Caps and Committing to Achieving Just
Internet Access and Affordability - 1st reading

Councilor Sciarra read the resolution.

Councilor Dwight moved to approve the resolution in first reading. Councilor Thorpe seconded.

She would like to say they are really happy to join their neighboring partners in Holyoke, Springfield, West Springfield and Agawam in bringing forth resolutions in their communities to stand up to Comcast's plans to impose data caps on northeast customers, Councilor Sciarra volunteered. Initially, as it says in the resolution, the caps were to start now with penalties beginning in March, but now, in response to communities standing up, including its home state of Pennsylvania, whose Attorney General has said this is not right, Comcast has now said that they will postpone these data caps until the summer. They have not said they are not going to impose them, they are just giving a little bit more time.

The fees are \$10 for an additional 50 gigs with a cap of \$100 per month.

As the resolution says, these caps have nothing to do with helping spread usage or solve any problems of an overburdened system, they are purely for profit and to drive consumers to more expensive plans, Councilor Sciarra continued. It is safe to say that it is outrageous to try to squeeze consumers for anything more at a time when robust home access is a necessity for school, work, telehealth, community engagement, attending local government meetings, staying in touch with families and friends and all the things they are not able to do in person.

As they hopefully move past this pandemic, how they do many things has changed and will remain changed. Reliable and safe internet access is a necessary utility. It will be a necessity as it has been for a while but even more than ever. The idea that Comcast is going to give them a little more time but still impose these caps does not feel like any largesse on their part. She thinks they all need to stand up and say this is an unconscionable thing to do.

She thanked her co-sponsors, Councilor Dwight and Councilor Nash. As Mayor Narkewicz said before, Councilor Dwight has been working on the issue of municipal broadband for many, many years. She thanked Amy Tolson of Ward 3 for bringing this to her attention and Councilor Rebecca Lisi of Holyoke for her work and for enthusiastically embracing a collaborative and mutual-interest, cross-community approach. She thinks it's very important to work together here in Western Massachusetts, so she hopes her colleagues on the council will join them in supporting this.

Councilor Dwight said 'Amen.' To be clear, historically Comcast is essentially a federally-sanctioned monopoly. There are no competing interests as far as cable. Comcast will argue that AT & T and Verizon are threatening with 5G service and offer data plans, but Comcast has proprietary ownership of the cables that go to people's houses, "They own the pipeline." Their postponement is not an act of altruism, it is a marketing decision. They realize there's not a lot of good publicity by suddenly imposing more onerous fees during a crisis, but that, on the other hand, by offering little morsels every now and then as circumstances require they can maintain their customer base. They are by charter a commercial enterprise, so their charter requires them to achieve maximum profit for their shareholders. It is not to serve the community. "We are the consumers, we are the source of that revenue for them." Every one of their actions is dictated by that simple goal, to achieve as much profit as possible.

Internet access has transitioned to a very critical utility over the last several decades, similar to when electricity came into being. Industrial-based cities like Holyoke, Westfield, Chicopee, etc. considered electricity so critical to their survival and sustainability they made it a municipally-managed and controlled utility even to the point of creating hydro-electric dams and other sources of energy. This is no different in that respect. There will come a time for a larger conversation about whether it is necessary to have internet access be a municipal service that provides more equity and considers people less able to accommodate the associated cost. This has all been brought into very sharp and clear focus by COVID. They are conducting this meeting because internet exists; they wouldn't have been able to do this five years ago. Their consumption of internet is increasing exponentially. Comcast realizes its revenue is now through data and that, if it controls the system by which data is consumed, demand will continue to increase.

The letter from Comcast (Councilor Dwight referred to a letter from Eileen B. Leahy, Senior Manager of Comcast Government and Regulatory Affairs to the Northampton City Council dated February 3, 2021) talks about what they describe as typical consumption, but it's not true, he contested. If you are a single mother and you have three children in three different levels of school, you are suddenly now streaming three systems of education for your children and that amplifies your consumption three times. Right now, if you're downloading movies on your TV, 4K is the peak and 8K is the goal and coming, with 8K, "you're hitting a terabyte of information in a heartbeat." The trend is not that we'll be consuming less; we will be consuming more, it is a given. "We will continue to be beholden to Comcast," which enjoys the protection of not having competition. With that in mind, it is imperative to send a message and it's heartening to see they did send a message to some degree. Something compelled Comcast to respond with a message to them. He'd even welcome the debate.

Healthcare, government, "every dimension of our lives that we tend to take for granted is directly channeled and piped through Comcast's system," he observed. That makes him a little uncomfortable. He is grateful to fellow sponsors and to councilors and Councilor Lisi in Holyoke who voted 7-4 to approve this, a surprisingly close vote.

It is a fight that doesn't end today; it hopefully starts today, he concluded.

This resolution and the other resolutions that are being endorsed in other cities are already being successful, Councilor Nash agreed. When they first started drafting this earlier in the week, the rollout for this was going to be this spring and it's already being pushed back to the end of June, so there's a measure of success. He thanked Chief Information Officer Antonio Pagan for spending a few minutes boiling things down for him in easy to digest ways. He has kept IT up and running for a few years and his rule of thumb is that their data needs will double every two years. It is very difficult to stop that growth. Consumers can buy a new TV or phone if it breaks, but the fact is that all the technology they buy to replace what they have is working at a much higher capacity for data. He didn't realize there is actually 4K. Newer TV's are going to be four times what many people currently use right now. "If you eat up 150 units of data, within a month, multiply that times four and you are starting to approach [the cap]."

He talked to Director Pagan about the basic needs of both employees, students and families with children within Northampton. By and large, he said, city employees are doing fine, they wouldn't be impacted by this because of the type of data shared between departments. But families with parents working and children learning at home have multiple devices all in use at the same time and those are also draining data. Computers, laptops and phones are obviously using data, but each time consumers buy a device, be it a refrigerator, new furnace, security

system or doorbell, everything is now logging onto the internet and using data as well. The ceiling of 1.2 terabytes is something they are quickly approaching. 5% are there but the rest of them are very quickly growing into that. He thanked his cosponsors and asked the rest of his colleagues to support the resolution. "Let's join other communities in taking this stand," he urged.

Councilor Jarrett thanked the three sponsors for introducing the resolution, saying it's something he's very happy to support. Comcast has an 'Internet Essentials' service but it's only available to people who qualify as lower-income and people who haven't had service with Comcast in the last three months, so lower-income households who have been paying for regular service with Comcast wouldn't be able to lower their bills unless they stopped service for three months. He referred to a House bill, HD663, an emergency bill intended to be in effect until the state of emergency is lifted, which prohibits data caps, price increases, new fees and shut offs during the COVID emergency. It currently has 64 sponsors. He sent the link to the administrative assistant so it could be part of the record. He is wondering if support for that bill could be part of the reading. It seems like it fits in very well with this resolution. Representative Sabadosa is one of the cosponsors.

Councilor Dwight said he for one would accept that as an amendment. It would go nicely with the paragraph that already encourages permanent legislation.

Councilor Dwight proposed another amendment to add Karen Charles Peterson, Commissioner for the Department of Telecommunications (DTC) in Massachusetts, to the list of recipients in the last paragraph.

Members agreed to the following wording of a paragraph to be inserted: BE IT FURTHER RESOLVED that, the Northampton City Council supports and endorses emergency House bill HD663 (an act protecting internet access during the COVID-19 pandemic).

Councilor Jarrett moved to amend the resolution. Councilor Dwight seconded.

Councilor Maiore said she wanted to validate what Councilor Dwight says because this mom of three went over her 1.2 terabyte on the 23rd of this month, she reported.

Councilor Foster thanked Councilor Nash for his helpful explanation regarding being able to expect data use to double every two years.

Councilor LaBarge said she would love to have a Comcast representative come in, and Councilor Sciarra said she would be happy to put someone on an agenda for discussion.

The motion to amend passed unanimously 9:0 by roll call vote.

The motion to approve the resolution as amended in first reading passed 9:0 by roll call vote.

See minutes of February 18, 2021 for second reading.

Consent Agenda

Consent Agenda

Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate discussion upon request. Councilor Quinlan requested the removal of the appointment of Jonathan Daube. **Councilor Dwight moved to approve the consent agenda with the removal. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote.**

The following items were approved as part of the consent agenda:

- A. Minutes of January 7, 2021 City Council Meeting
- B. 21.187 Appointments to Various Committees – all positive recommendations, City Services Committee – 2/1/2021

Arts Council

Dana Osterling, 58 Paradise Road, Apt. 1, Northampton

Term: February 2021-June 2024

To fill a vacancy

Thulani Davis, 112 Franklin Street, Northampton
 Term: February 2021-June 2024
To fill a vacancy

Historical Commission
Rev. Harvey Hill, 19 Ward Avenue, Northampton
 Term: February 2021-June 2024
To fill a vacancy

Councilor Dwight moved to approve the appointment of Jonathan Daube to the Historical Commission. Councilor Maiore seconded.

Councilor Quinlan said he spoke to the city solicitor about the fact that Dr. Jonathan Daube and his wife Linda contributed to his campaign in 2019. They were in agreement that there was no conflict of interest but Attorney Seewald's advice was that he make a public declaration to the people of Northampton in the interests of transparency. To be clear, this does not disqualify him from voting to approve the appointment.

The motion passed 9:0 by roll call vote. The following appointment was approved:

Historical Commission
Dr. Jonathan Daube, 15 Carolyn Street, Florence
 Term: February 2021- June 2024
To fill a vacancy

<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 8:20 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 9 p.m. The City Council reconvened at 9 p.m.</p>
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<p><u>Financial Orders (on 1st reading pending Finance)</u> <u>21.191 Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection-1st rdg</u> <u>21.192 Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt - 1st reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>21.191 An Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Foster seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of February 18, 2021 for second reading.</u> <u>21.192 An Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of February 18, 2021 for second reading.</u></p>
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<p><u>Financial Orders (in 2nd reading)</u></p>	<p><u>Financial Orders (in 2nd reading)</u> None</p>
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<p><u>Orders</u> <u>21.190 Order Endorsing the Climate Resilience and Regeneration Plan - 1st reading</u></p>	<p><u>Orders</u> <u>21.190 An Order Endorsing the Climate Resilience and Regeneration Plan - 1st reading</u> Councilor Sciarra read the order. Councilor Dwight moved to approve the order in first reading. Council LaBarge seconded. Office of Planning and Sustainability Director Wayne Feiden gave a Powerpoint presentation, giving special thanks to Councilor Maiore and Councilor Jarrett who sit on the Northampton Energy and Sustainability Commission (NESC) and know as much about the plan as anyone. As councilors know, the city has a comprehensive plan (the Sustainable Northampton Plan) which</p>
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guides a lot of the work his office and other departments do and serves as one criteria for issuing special permits. That plan was adopted in 2008 and has been amended three times. It was amended to add the Pedestrian and Bicycle Plan in 2017, the Open Space, Recreation and Multiuse Trail Plan in 2018 and now to add the Climate Resilience & Regeneration Plan. What's before them is the plan itself.

Under state law, the Planning Board is the board that legally adopts comprehensive plans but it doesn't mean much if it is not accepted by other boards. NESC has adopted the plan.

Resilience is about adaptation, being resilient to chronic and acute stress. In this case, it's about climate-change caused chronic and acute stress. Acute being more hurricanes becoming worse because of climate change and chronic stress being more homeless people getting Lyme disease because it's getting warmer and there is more prevalence of Lyme.

Regeneration includes climate change mitigation such as reducing the city's contribution to carbon emissions.

They deliberately use the words resilience and regeneration because the terms mean more; they're broader. They want to be resilient to anything. COVID is not climate-change caused but they clearly want to be resilient to COVID. Regeneration includes things like removing invasive plants that come in. The goal is not just to survive climate change but to thrive in spite of it.

The next two slides are most important: what the plan is all about. They don't know all the steps they will be doing over the next 10, 20 or 30 years so they're trying to create a road map to get there. They are trying to create a target, a commitment for where the city is going. The Mayor set a target for them two years ago of being carbon neutral by 2050 so they adopted that as an end goal, but it's the intermediate goals that are the bigger challenge. Can they make city buildings and operations net carbon neutral by 2030, hit 50% of the goal by 2030 and 75% of the goal by 2040?

NESC spent a lot of time debating these issues to identify goals that are really aspirational and really going to push them but that they think they can achieve, he observed.

The other part is weaving equity through all these things. Some people are front-line for climate change, meaning they are more impacted by climate change than others.

There is a series of actions involved in getting to the goal. Some things they don't know yet so they always want to come back to basic operating principles. They have been talking a lot about renewable energy, electric cars and electric heating systems, but the first and most important principal is to reduce their energy demand in the first place. If people can walk instead of using a car, that is going to have a much greater impact on climate change than making cars electric. If people have smaller homes or better-insulated homes, that's going to make a greater impact on climate change than switching to electric forms of energy.

We're going to be all challenged going forward, he acknowledged. Planners do a lot of community engagement, and the community has a lot of really great ideas, many of which were used. Sometimes ideas are sexy in the moment, but part of their charge is to always look at the most high-impact practices, the things that give the greatest return on investment. They don't have enough time and money to do all the things they'd like to do, so they have to prioritize and concentrate on the things that give them the most bang for the buck.

Because they can't really plan out a strategy for the next 20 years, they plan to flesh out the plan every two years. Part of this is thinking about what this means in terms of the operating budget and capital budget. The Mayor proposed and the City Council approved money to look at every single city building to plot out a chart for them to become carbon neutral. At midnight when the boiler breaks is not the time to think about how to replace that boiler. For every capital improvement request they need to think about what the impact is on the climate.

In the climate action world, Scope 1 emissions are emissions they're directly responsible for. Scope 2 is their footprint because of their utility generation. Those are the things they are focusing on. For Northampton, they are mostly ignoring Scope 3, which is actually the biggest source of greenhouse gas emissions, indirect emissions from the supply chain. If you buy a pen,

it comes from China and is shipped here by Amazon. They don't actually have much control over this other than educating people to buy less plastic. For the most part they are focused on what happens here, not what gets made elsewhere.

Director Feiden displayed a pie chart showing the source of the city's greenhouse gas emissions from 2016. The two big things are buildings - commercial buildings, which include multi-families, are half the city's greenhouse gas emissions (52%). Residential buildings - single-family homes and two-families - are 18%. Transportation is 26%. If they really want to impact climate change they need an incredible focus on buildings. They are a very slow-growing community, so they talk about new building codes to make new buildings net zero. But the majority of buildings in Northampton already exist so they can't just focus on new buildings, they have to think about existing buildings. Likewise, transportation is a quarter of their load and part of that is electrifying transportation. Part of it is all the work planners and the city council have done on improving public transportation, improving bicycle paths and improving pedestrian accommodations and encouraging density within walking distance of where people want to go to reduce the number of trips in the first place. When he talks about high-impact practices, this is the table he always comes back to. They don't have a lot of livestock in Northampton, he noted, referring to another significant source of emissions. Globally, being vegetarians would have a big effect on climate but in Northampton it really has no effect.

Director Feiden displayed a chart, titled "Northampton High Case GHG Emissions Projection." The scale on the left shows the current amount of greenhouse gas (GHG) emissions. If they do nothing, the red dashed line across the top shows that their GHG emissions would stay the same. Consultants mapped out the big picture items that move them down to 2050 but only projected out to 2030, so the fan-shaped colors on the map are the so-called 'wedge diagram,' big picture things they can do to reduce greenhouse gas emissions. (The associated legend identifies various colors as actions such as Electric Vehicle Deployment, Net Zero Energy New Buildings and Renewable/Low Carbon Electricity.) The chart plots out a diagonal line across the graph as if they were aiming to have a steady reduction in carbon emissions from 2016 to 2050. However, the red line is a more aggressive target they're setting for themselves since they want to be halfway to being carbon neutral by 2030, Feiden explained. They don't have really have great data, but, as of now, they are not on track to meet that goal. Thus, they have to be really aggressive between now and 2030.

Of course, existing buildings are still going to be there so they're stuck with all these 'stranded assets' even if everyone buys new electric cars and builds net zero homes. Northampton has some benefits. Smith College is committed to its building stock - its heating and cooling thermal loads - being carbon neutral by 2030. The fact that Smith College is a leader really helps them be a leader. All of this is to say they need to do more; they have mapped out some of the paths forward but not all the paths forward.

Director Feiden reviewed a slide entitled "Regeneration: High Impact Pathways." These are the big pathways they want to think about, he advised. First on the list is reducing energy demand through conservation and efficiency whenever possible and switching to renewable electricity sources when possible. Land use patterns are pretty far down the list but are probably responsible for 15% of GHG emissions. This is where they might meet resistance; people are all in favor of buying electric cars but they may not be in favor of density in their neighborhood.

It is impossible to meet any of these goals by carbon reductions alone. They are still going to need firetrucks, and backhoes are still going to be gasoline and diesel until at least 2030 and maybe 2040. So they need to think about carbon sequestration. This is obviously about trees but, statewide, soil holds about three times as much carbon as trees do. This is about growing trees, but it's also about putting carbon in the soil and preserving it there. The only way to get to net zero is by saying that, for every ton of GHG emissions, we're putting aside the equivalent in trees and soil.

The mitigation side of this is adapting to climate change. This is where a lot of the city's investment has been, so they've made a lot of progress in this area. In Northampton, the biggest part of dealing with the changing climate is addressing bigger storms. The city is doing everything from installing bigger pipes - such as the \$1.2 million pipes installed on Pleasant Street a couple of years ago - to the wetlands restorations at the Pine Grove golf course: human-built things and natural things.

Warming/heating is probably the next biggest challenge. They're going to have a few hotter peak days but the biggest challenge is the number of days over 90 degrees, which can be killers for people without air-conditioning and with different health issues. Somewhere down the line they may have a change in insect vectors of disease, such as a greater prevalence of Lyme disease because of more ticks.

Director Feiden briefly mentioned big ideas that cut across the plan, such as conservation first and equity and thinking about city operations through a climate lens. As far as renewable energy, the City Council has already authorized entering into a more aggressive Community Choice Aggregation (CCA) program than most communities and the Mayor is moving forward with that.

Today, 20% of their energy is from electricity. As they electrify, that load will go up dramatically. As they reduce their GHG emissions and reduce their use of fossil fuels, they are going to be using a lot more electricity. Northampton is one of the first communities in the commonwealth to authorize the Property-Assessed Clean Energy (PACE) program where people can make improvements to commercial buildings and basically get a surcharge on their property tax.

On the resiliency side, dealing with stormwater is a key part. Waste crosses over between resiliency and regeneration. Solid waste accounts for 1% of the city's GHG emissions, but it is dwarfed in comparison to other sources of GHG. If they also think of solid waste as being an opportunity for source reduction (not just getting rid of all the stuff they generate but reducing the source in the first place) it has a much bigger impact on the mission.

Transportation is 26% of their load, he reiterated. Land use is associated with transportation because a lot of the benefits for land uses such as dense, mixed-use developments are reduced trips. They still believe in free choice; their goal isn't to force people to live anywhere but to allow them to live anywhere. They know when people live in urban areas, the units tend to be smaller. Besides the transportation savings they're also getting smaller buildings.

The final category is broadly health and safety. The Mayor has said one of his top goals for next year is to acquire and open a community resilience hub. Such a place addresses a lot of needs that aren't climate-related, he acknowledged. For example, if they had one, it would be helping a lot with COVID right now. But a lot of the purpose of the resiliency hub is to provide a safe place for people in need because of climate change.

Director Feiden fielded questions and comments from councilors.

Councilor Dwight moved to approve the order endorsing the plan in first reading. Councilor Jarrett seconded.

Councilor Dwight thanked Director Feiden, saying he knew and appreciated the work and challenges associated with development of the plan. As a former member of the energy and sustainability committee, he thought they were going to be voting on it almost two years ago but appreciated the fact that planners walked it back and allowed for even more discussion, contribution and development. He looks at what has been laid out as a map or an atlas of sort. As they grapple with the enormous issue of planetary impact and climate change, they have laid out very well the challenges they realistically are facing.

He points out quite rightly that the existing building inventory will continue to be a drain and to contribute to the crisis they are trying to avert. They can't require everyone to retrofit their homes in order to meet the plan's aspirational goals. He is grateful for the realistic perspective and dimension while at the same time maintaining a commitment to the aspiration. He is especially grateful for the contributions and enthusiastic debate.

The plan affects most debates going forward. It affects how they address COVID and land use regulations and has informed the plastics reduction debate and discussion of how they're going to deal with their waste stream. Every conversation they have, every decision they make, this should be embedded in it as a priority for discussion. As an aside, someone made a crack about 'green-washing' in the conversation about defunding the police because they were interested in the purchase of electric vehicles for the police department. He wants the community to

understand it is not 'green-washing' in any sense, it is devotion to this principal. One of the principal drivers was equity and justice and fairness and how critically these things are all part of that same warp and weave. He is enormously grateful. He takes some hope in this because the city's previous visioning plans have served them very well. The Vision 2020 plan really has informed how they have legislated up to 2021. It is not 'greenwashing,' it is a moral commitment they are making and are going to adhere to.

Councilor Jarrett thanked Director Feiden and current and former members of NESC. As a member of that commission, he is really glad they took the extra year to revise the plan. He thinks it is much stronger; they have had input from great groups like Climate Action Now and Sunrise Northampton. He recognizes the plan isn't good enough to do what they need to do, which is to address their part in the climate emergency by being carbon neutral by 2030. As Director Feiden talked about, there are many things city government just doesn't have control over and for which they need state and federal action. But he does encourage them to think about how they can push the boundaries even if it makes themselves and their constituents uncomfortable. He thinks that's absolutely necessary.

Councilor Foster said she appreciated the presentation. She heard some feedback a year or so ago that the plan needed to be stronger so she also appreciates the extra year. There are a lot of climate activists in Ward 2 and it is an issue a lot of her constituents care deeply about. She spent a long time on the phone yesterday with somebody who asked what he can do to help the city work toward these goals. She wanted to throw the ball out there that there are people in Northampton who want to be a part of the solution and would like to be helpful in that. As this work progresses and as opportunities arise, let us help our constituents move this forward because it is something people want to be a part of, she urged.

Councilor Sciarra thanked everyone who put in the work to create this living document. She called the motion to a vote, and it passed unanimously 9:0 by roll call vote.

See minutes of February 18, 2021 for second reading.

<p><u>Ordinances (Not Yet Referred)</u> <u>21.189 Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes</u></p>	<p><u>Ordinances (Not Yet Referred)</u> <u>21.189 An Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes</u> Councilor Dwight moved to refer the ordinance to the Planning Board and Legislative Matters for a joint hearing to discuss these items. Councilor Maiore seconded. Councilor Jarrett asked to amend the motion to also refer the ordinance to the Community Resources Committee. Councilor Dwight and Councilor Maiore accepted this as a friendly amendment. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Ordinances</u></p>	<p><u>Ordinances</u> None.</p>
<p><u>New Business</u></p>	<p><u>New Business</u> None</p>
<p><u>Information (Charter Provision 2-7) & Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u> None</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor Foster, the meeting was adjourned at 9:41 p.m. The motion carried unanimously 9:0 by roll call vote.</p>

Attest: _____ Administrative Assistant to the City Council



MAYOR DAVID J. NARKEWICZ

City of Northampton

Office of the Mayor

210 Main Street Room 12

Northampton, MA 01060-3199

(413) 587-1249 Fax: (413) 587-1275

mayor@northamptonma.gov

DATE: March 4, 2021

TO: City Council

FROM: Mayor David J. Narkewicz

SUBJECT: Appointments to Boards, Committees, and Commissions

Please find the attached appointments to City Boards, Committees, and Commissions:

Planning Board

David Whitehill (Full Member), 60 Washington Avenue, Northampton

Term: March 2021-June 2022

To fill the term of resigned full member, Alan Verson



Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>

Thu, Aug 15, 2019 at 9:44 AM

To: mayor@northamptonma.gov

Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	David
Last Name	Whitehill
Title, if applicable	<i>Field not completed.</i>
Address1	60 Washington Ave
Address2	<i>Field not completed.</i>
City	Northampton
State	MA
Zip	01060
Home Phone	3475142567
Work Phone	<i>Field not completed.</i>
Cell Phone	<i>Field not completed.</i>
Occupation & Place of Employment	Architect - Kliment Halsband Architects
Email	davidwhitehill@gmail.com
Are you a Northampton resident?	Yes
Years Lived in Northampton	6
Age	40 - 49

Sex	<i>Field not completed.</i>
Racial / Ethnic Background	caucasian
Boards and Committees	Planning Board
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	<p>I am an architect licensed in MA, CT, & NY, working primarily on institutional buildings and sites. I also have specialty in historic buildings, adaptive reuse, and complex zoning/landmarked sites. I have professional background in Urban Design as well.</p> <p>I have an overriding interest in a urban future that focuses on: Pedestrian-friendly environments Safe Bike lanes Accessible sidewalks and streets Affordable and accessible housing, especially in the urban core A safe and resilient city for all Maintenance and a dynamic future for our historic buildings. Integration of a new Preservation Plan with the new Sustainable Northampton plan</p> <p>My wife Marissa and I have twin girls going into 3rd grade at JSS.</p>
Are you currently serving or have you served on any city committee?	Yes
Please list other city committees you have served on	Community Preservation Committee 2016-current (term ends 12/2019)
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	David Whitehill
Date	8/15/2019

City of Northampton

MASSACHUSETTS

In City Council, March 4, 2021

Upon the recommendation of Mayor David J. Narkewicz and Department of Public Works

21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement

WHEREAS, Property owners in the City are responsible for certain maintenance of the sidewalks and driveway aprons within the public way; and

WHEREAS, Property owners often desire to perform or have performed significant maintenance, repair or replacement of such sidewalks as part of driveway replacement or otherwise; and

WHEREAS, Heretofore, the Massachusetts Department of Labor Standards has opined that such work within the public way performed on behalf of a property owner implicated the requirement to pay prevailing wages and, depending upon the extent of the work and the cost thereof, the requirement to follow other requirements of applicable procurement laws, including solicitation of bids for such work; and

WHEREAS, The Department of Labor Standards has revised that opinion, and such work may now be performed on behalf of the property owner without regard to such procurement laws; and

WHEREAS, The materials required to maintain, repair or replace a sidewalk within the public way constitute a gift to the City of tangible personal property that require acceptance by vote of the City Council; and

WHEREAS, The public interest would be served by allowing the Department of Public Works to accept such gifts without further Order of the City Council, provided that prior to performance of such work the proposal is reviewed and approved by the Department of Public Works.

Ordered, that

In accordance with M.G.L. c. 44, § 53A½, the City Council hereby authorizes the Department of Public Works to accept any and all gifts from property owners of labor and materials for the maintenance, repair and replacement of sidewalks within the layout of the public way abutting the property of such property owner subject to such review and the issuance of such approvals and/or permits as the Department of Public Works may, from time to time, establish by departmental regulation.

City of Northampton

MASSACHUSETTS

In City Council, March 4, 2021

Upon the recommendation of Mayor David J. Narkewicz and Office of Planning & Sustainability

21. 203 An Order to Discontinue a Portion of Sherman Avenue

WHEREAS, A newly-constructed home at 66 Sherman Avenue was built too close to the road to meet zoning front yard setbacks, and the only path to zoning relief is the discontinuance of a 44 square foot sliver of the layout of Sherman Avenue as shown on a plan entitled “DISCONTINUANCE PLAN, 66 Sherman Avenue”; and

WHEREAS, The discontinuance of a way or a portion thereof must be in the public interest, not in the sole interests of the abutting landowner; and

WHEREAS, The owner of 66 Sherman Avenue has agreed to donate \$50,000 to the City’s traffic mitigation fund as an offset for the effects on Sherman Avenue, with such funds being dedicated to pedestrian and traffic mitigation in the area within one mile of this site; and

WHEREAS, Under these terms, the Northampton Department of Public Works has no objection to the discontinuance of the sliver or Sherman Avenue; and

WHEREAS, The donated funds will be used for to traffic mitigation and pedestrian improvements under the traffic mitigation program managed by the Office of Planning and Sustainability; and

Ordered, that

Upon payment of a donation of \$50,000.00, the City Council hereby discontinues that portion of Sherman Avenue as shown as “Parcel A,” on a plan entitled “DISCONTINUANCE PLAN, 66 Sherman Avenue”;

The City Council further authorizes the Mayor to sign an instrument of conveyance of the discontinued portion of Sherman Avenue to such owner of 66 Sherman Avenue consistent with this Order.

City of Northampton
MASSACHUSETTS

In City Council

February 18, 2021

Upon recommendation of the Mayor

21.194 An Order to Rescind Borrowing Authority - 3 Votes

Ordered, that

the City Council rescind the following orders because such borrowing authority is no longer necessary:

Order 20.075: \$150,000 of borrowing authority authorized under the loan order approved on July 9, 2021 to acquire land on Boggy Meadow Road to add to the Broad Brook –Fitzgerald Lake Greenway as the borrowing authority is no longer needed.

Order 17.272: \$1,630,000 of borrowing authority authorized under the loan order approved on April 20, 2017 for engineering and construction of repairs at the Ryan Reservoir as the project schedule and overall cost estimate is being reevaluated.

Order 17.272: \$250,000 of borrowing authority authorized under the loan order approved on April 20, 2017 for engineering and construction work related to rehabilitation and replacement of the city's primary water main transmission line as the project schedule and overall cost is being reevaluated.

City of Northampton
MASSACHUSETTS

In City Council

February 18, 2021

Upon recommendation of the Mayor

21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act
Reimbursement

Ordered, that

the sum of \$197,669 be appropriated from the FY2021 General Fund Undesignated Fund Balance (Free Cash) to cover costs related to the city's response to the COVID-19 pandemic should they ultimately be deemed ineligible for reimbursement under the CARES Act program.

City of Northampton

MASSACHUSETTS

In City Council

February 18, 2021

Upon recommendation of the Mayor

21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility

Ordered, that

Whereas, the City of Northampton owns a property located at 56 Vernon Street known as the former Vernon Street School, and shown on Assessors Map 31A, Parcel 112, Lot 1; and;

Whereas, In 1977, Northampton Mayor Harry Chapman executed the first lease on the former Vernon Street School property at 56 Vernon Street to Hampshire Community Action Corporation (HCAC), converting the former neighborhood elementary school into a Head Start daycare facility; and;

Whereas, Mayors Musante, Ford, Higgins, and Narkewicz, with the approval of the then-sitting City Councils, have continued that use, recognizing the value to our community and region of providing high-quality Head Start and early care and education services for low and moderate-income children; and;

Whereas, the current lease with Community Action Pioneer Valley (CAPV) is set to expire on November 20, 2023, the building is in need of additional capital improvements, and long term control of the property is a condition of eligibility for federal Head Start capital grant funding; and;

Whereas, the City of Northampton does not have a municipal use for the property and M.G.L. c. 30B, §16 requires a vote of City Council to surplus any interest in public property; and so

Now therefore be it ordered that,

The property at 56 Vernon Street is declared surplus to City of Northampton needs and is hereby transferred to the care, custody, and control of the Mayor for the purpose of leasing said property for thirty (30) years at a nominal amount with the restriction that the property can only be used for Head Start and early care and education and other related services by a 501(c)(3) non-profit organization on such terms and conditions as the Mayor deems appropriate, provided that and the lessee shall be responsible for all utilities, maintenance, repair, and replacement of all mechanical systems. The lessee shall be required to maintain the structure in a safe condition for its continued use as a Head Start facility.

**CITY OF NORTHAMPTON
MASSACHUSETTS**

In the Year Two Thousand and Twenty-One

Upon the Recommendation of the Transportation and Parking Commission

**21.198
AN ORDINANCE**

**RELATIVE TO A STOP SIGN ON
SCANLON AVENUE**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That the § 312-113 of the Code of Ordinances be amended as follows:

§ 312-113 Schedule XII: Stop and Yield Intersections.

Location	Direction of Travel	At the Intersection of
<u>Scanlon Avenue</u>	<u>West</u>	<u>Florence Road</u>

**CITY OF NORTHAMPTON
MASSACHUSETTS**

In the Year Two Thousand and Twenty-One

Upon the Recommendation of the Transportation and Parking Commission

**21.199
AN ORDINANCE**

**RELATIVE TO STOP SIGNS ON
CROSS STREET**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That the § 312-113 of the Code of Ordinances be amended as follows:

§ 312-113 Schedule XII: Stop and Yield Intersections.

Location	Direction of Travel	At the Intersection of
<u>Cross Street</u>	<u>West</u>	<u>Florence Road</u>
<u>Cross Street</u>	<u>East</u>	<u>Bliss Street</u>

CITY OF NORTHAMPTON

MASSACHUSETTS

In the Year Two Thousand Twenty-One

Upon the Recommendation of Mayor David J. Narkewicz and Planning and Sustainability

20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, Chapter 161, 'Demolition,' be amended to remove Committee appointment language, which is located in the Administrative Code, and eliminate inconsistencies regarding Ordinance applicability.

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Amend the text with the additions, modifications, and deletions shown below. Modify existing Ordinance subsection numbering to accommodate amendments.

§ 161-6 Administration.

~~A.~~

~~With the adoption of this chapter, § 22-30 of the City's Code of Ordinances specifying how appointments are made to the Northampton Historical Commission has been amended. The amendment states that as terms of current members expire, the Mayor will appoint a representative from the Chamber of Commerce, followed by an architect, followed by a representative from the real estate or construction industry. (See § 22-30 adopted April 19, 1973 for more detail.)~~

B.

The Commission may adopt such rules and regulations as are necessary to administer the terms of this chapter. The Office of Planning and Development Sustainability is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this chapter.

C.

The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

~~D.~~

~~The Commission shall create an inventory of significant buildings and structures built during the period of 1901 to 1939 that will be subject to this chapter within a two-year period from the date of the ordinance adoption. The Commission may also proactively develop other lists of significant buildings or structures that may be subject to this chapter. Buildings or structures proposed for the significant list of buildings and/or structures shall be added only following a public hearing.~~

**City of Northampton
MASSACHUSETTS**

*Two-Family By- Right
Ordinances 1 of 10*

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City by amending multiple sections within Chapter 350 relating to definitions, parking, lot layout, design.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Chapter 350-2.1 DEFINITIONS

ACCESSORY APARTMENT

See ~~§ 350-10.10, Accessory apartments.~~

DWELLING, Two- Family/ Two Single Family below

DWELLING, TWO-FAMILY

~~A Two-Family Dwelling is a residential building type in which two dwelling units are contained within a single free-standing structure, including attached accessory apartments, two unit townhouses, backyard cottages. Units may be in distinct, but attached, masses~~
~~A detached building containing two dwelling units.~~

DWELLING, TWO SINGLE-FAMILY

~~Two Single-Family Dwellings Located on One Lot is a residential development type in which two free standing detached single-family dwellings are located on a single lot, including detached accessory apartments and backyard cottages, two-unit townhouses.~~

City of Northampton

MASSACHUSETTS

~~Two-Family By-Right
Ordinances 2 of 10~~

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.164 An Ordinance Relative to Two-Family By Right - Amendment to URA Table of Use

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

URA Attachment 6 Be modified by adding and deleting text as Follows *with no other changes to Attachment 6*:

~~1. If a garage or other attached garages/ parking structure is that face the street-attached~~

~~a., it must be set-stepped back 20'-10' from the house façade;~~

~~b. and the garage/structure shall comprise no more than 30% of the front facade of the primary structure unless the garage is stepped back from the façade by 20(A);~~

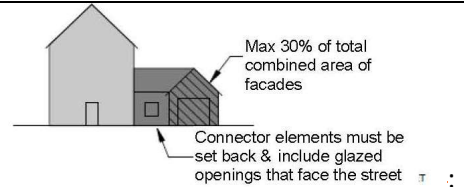
~~The criteria above does not apply to residential structures that are either behind another principal structure which is along the street front or if the structure is setback 40' or more from the front lot line.~~

~~C. The side setback may be 10' for the garage only when not used as a living area.~~

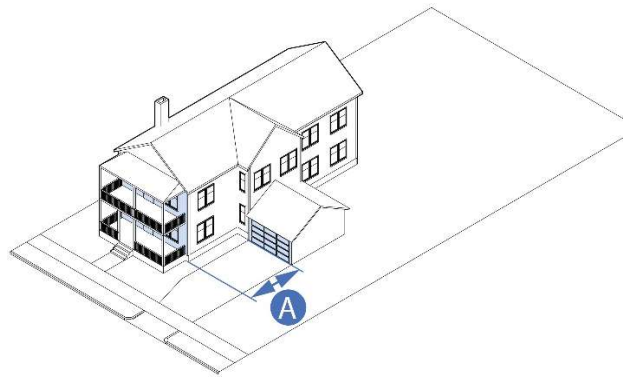
~~See additional specific criteria for 2-family homes~~

DELETE:

- Primary Structure
- Garage or Parking Structure
- Area



-Add:



~~Uses Allowed by Right:~~

• ~~Single family home~~

- ~~Two family less than 3,400 sf total of new construction. See additional criteria in 350-6.11 NOTE-
Make HYPERLINK~~

Uses Allowed by Site Plan

- ~~Two single-family dwellings per lot See additional criteria in 350-6.11 NOTE- Make HYPERLINK~~
- ~~Two-family, greater than 3,400 sf total of new construction See additional criteria in 350-6.11 NOTE-
Make HYPERLINK~~

All references in Uses allowed by Right and Special Permit for Accessory Dwelling units of 900 Sf or less to be deleted:
Attached (to a single-family) accessory dwelling unit not to exceed 900 ft.2 gross living area. See § 350-10.10. Same setback as for principal structures;
Detached accessory dwelling unit for single-family home meeting same setback requirements as a single-family home. See § 350-10.10

City of Northampton

MASSACHUSETTS

In the Year Two Thousand Twenty

Two-Family By- Right
Ordinances 3 of 10

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.165 An Ordinance Relative to Two-Family By Right - Amendment to URB-URC Tables of Use

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Amend 350 Attachment 7, 8 for URB and URC tables with additions and strikethroughs follows, with ***no other changes to those attachments:***

	FOR URB, URC
Lot Dimension Requirements	Layout Setbacks for all uses. <u>See additional form/layout requirements for two-family below in "Uses Allowed by Right"</u>
<p>Lot Size</p> <p><u>Single or Two family: 3,750 ft²</u></p> <p><u>3+ units: 2,500 ft² minimum (min) per unit</u> Frontage/Width = 50' Min. Depth = 75' Min.</p> <p><u>Detached accessory structure/garage/storage = 10' behind front of principal structure, 4' (side and rear lot line)</u></p>	
<p>Design Standards Illustrated</p> <p>Planning Board may waive, by site plan approval elements 2, 3, 4 <u>below</u> if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)</p>	
<p>1. If a<u>For attached garages/ or other parking structures that face the street, is attached, it must be set a) .</u><u>The front face of the garage must be stepped back 120' from the house façade; and</u></p> <p>b) The<u>the garage/structure shall comprise no more than 30% of the front facade of the primary structure, unless the garage is stepped back from the façade by 20'(A).</u></p>	<p>DELETE:</p> <p>Legend: Primary Structure Garage or Parking Structure Area</p> <p>Max 30% of total combined area of facades</p> <p>Connector elements must be set back & include glazed openings that face the street</p>

The criteria above does not apply to residential structures that are either behind another principal structure which is along the street front or if the structure is setback 40' or more from the front lot line.

c) The side setback may be 10' for the garage only when not used as workshop/storage/living area etc.

• See additional specific criteria for 2-family homes



ADD:

USES ALLOWED

Uses Allowed By Right:

- ~~Two family less than 3,400 sf total of new construction~~
- ~~Attached (to a single family) accessory dwelling unit not to exceed 900 F² Gross Living Area. See 350-10.10. Same setback as for principal structures.~~

Site Plan Approval required for the following:

- Any Construction (other than for a single family home ~~or two family less than 3,400 sf~~) greater than 2,000 ft²
- Two single-family dwellings per lot
- ~~Two family, greater than 3,400 sf total of new construction~~

Special Permit Approval required for the following uses by Planning Board unless otherwise noted:

- ~~Detached Accessory Dwelling Unit see 10.10—Zoning Board of Appeals Special Permit~~

**City of Northampton
MASSACHUSETTS**

*Two-Family By- Right
Ordinances 4 of 10*

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.166 An Ordinance Relative to Two-Family By Right - Addition of Subsection to Ch. 350-6

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City by amending multiple sections within Chapter 350 relating to definitions, parking, lot layout, design.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Add New Subsection to Chapter 350-6.

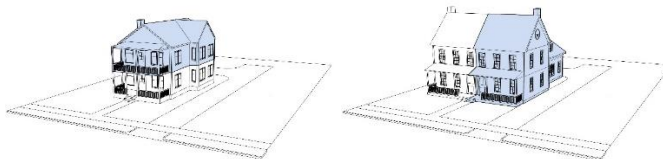
350-6.11 Form Based Criteria for Two-Family and Two Single-Family Homes (EDITOR's NOTE: Wherever §350-6.11 is noted it should be a hotlink to this new subsection)

that triggers Site Plan Review

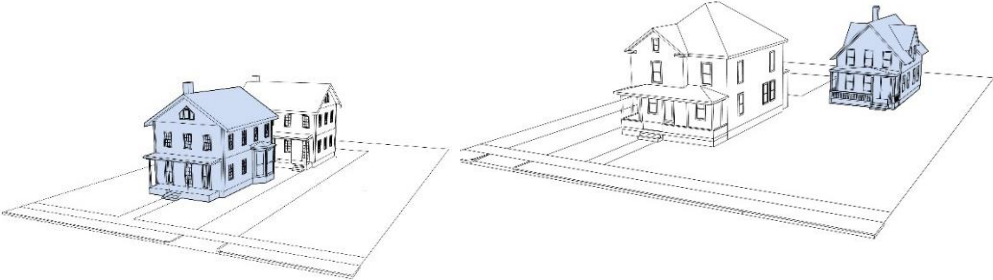
A. General Standards

- (1) Any new heating system to serve a second unit on a parcel or a new two-family or two-single families must be fossil fuel-free. This must be shown at the time of building permit application.
- (2) The dwelling units in a two-family dwelling may be arranged side-by-side, front-and-back, or vertically stacked (up-down), or a combination thereof.

(a) Example of vertically stacked two-family dwelling and side-by-side two-family



(b) Diagram of front-and back and two units per lot two-family dwelling



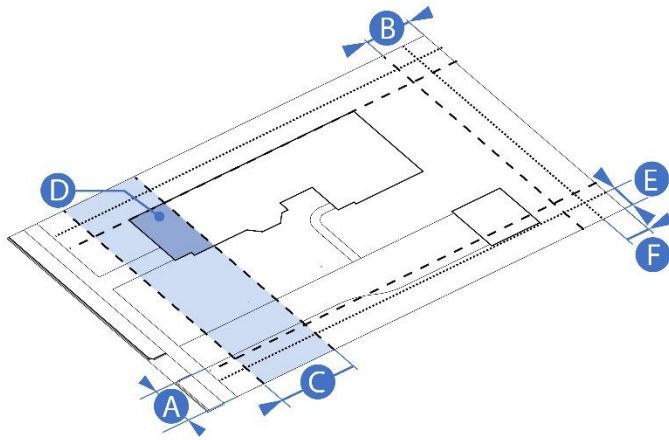
B. Illustrative Examples.

(1) The following photos show illustrative examples of two-family dwellings in Northampton.



C. Design Standards for Two-Family and Two Single Family structures on a Lot

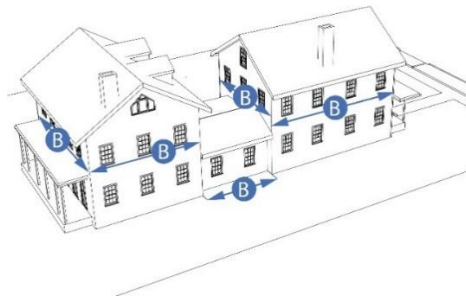
For two-family/two single family, in the URA, B, C zones, there is a minimum building occupancy in accordance with the following:



(1) Dimensional Standards		URC	URB	URA
A	Side Setback (min)	See Tables		
B	Rear Setback (min)	See Tables		
C	Build-to-Zone (min-max)	10'-25'	10'-25'	20'-40'
D	Building Frontage Occupancy width (min)	20'	20'	20'

Not applicable for additions to existing structures or lots that where existing structures do not meet this criteria

1) Building Massing

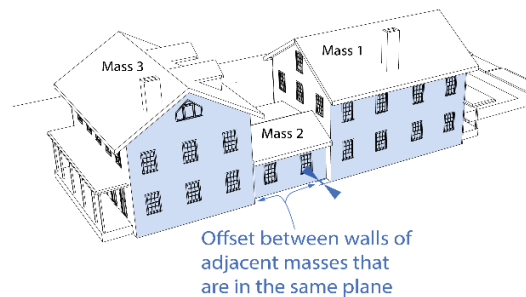
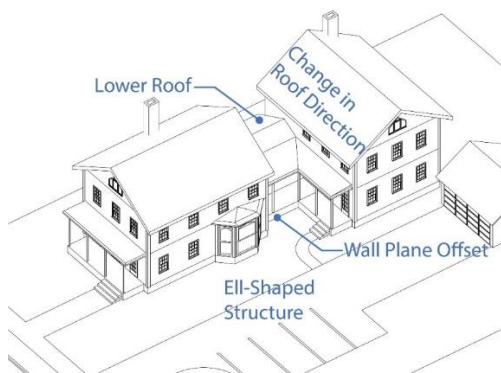


Maximum length of Massing is 50' "B"

(a) A dwelling may have more than one mass.

- (b) When a mass is attached to another mass, the masses must be designed with one or more of the following:
- (i) The roofs of adjacent masses run in different directions.
 - (ii) The roofs of adjacent masses that run in the same direction have at least a 2' difference in height.
 - (iii) Adjacent masses are arranged to create an Ell or T shaped building. The leg of the Ell or the arms of the T must extend at least 8' beyond an intersecting wall.
 - (iv) Where the walls of adjacent masses are in the same plane, the walls must be offset by at least 4'.

Illustrative examples of techniques for making masses distinguishable



2) Building Frontage

- a. Within the URA, URB, URC zones, in order to create a transitional space between a building's façade and the public realm that enhances neighborhood character, a new two-family dwelling or substantial alteration of a single-family dwelling that adds 50% or more gross floor area must include a covered front entry that meets the standards below.
 - I. The covered front entry must be located within the build-to-zone, except when a pre-existing building is not located within the build-to zone.



- II. The covered front entry must face the street. This is required for buildings facing and along the street front within the build-to zone. This is not applicable for additional structures built behind such buildings and which are not within the build-to zone.
- III. A covered front entry must have a minimum contiguous floor area of six (6) feet by eight (8) feet, exclusive of any stairs or ramps, for each unit's entry. The Planning Board, through site plan review may approve a smaller size but not smaller than 4'x4' for each unit.
- IV. The roof must cover an area of at least 4'x4' .
- V. At least one side of the covered entry shall be open between 3' and 7' above its floor surface.
- VI. A front entry may project beyond the front façade of a building or may be integral to the overall massing and roof form of the building.
- VII. Any stair egresses to porches above first floor covered entries must be within the footprint of the porch and may not project on the exterior of the porch footprint if it is within the build-to-zone.

Illustrative examples:



- b. A two-family dwelling may have a shared front entry, or two separate front entries.
- c. When a dwelling or dwelling unit is located to the rear of another dwelling unit that has a covered front entry, the principal entrance to the rear dwelling may face the side or rear of the lot. In this case, the covered front entry must be at

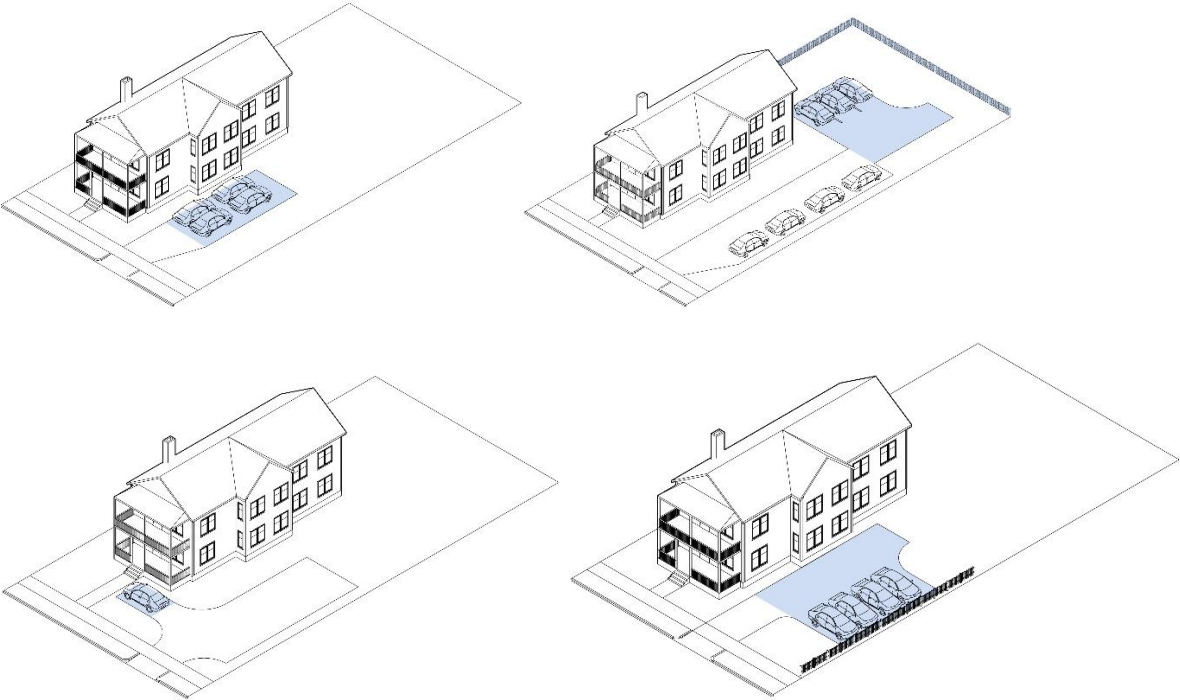
least 20' from the lot line unless other means to create a buffer/private outdoor space to adjoining properties are approved by the Planning Board. The entrance must meet the requirements for a covered front entry as described above.

3) Parking/Garage Placement

a. General Parking

- i. A parking area must be located to the side or rear of a dwelling. No more than 1 parking space may be located in front of a dwelling's front façade.
- ii. Where a pre-existing parking area in front of a dwelling's front facade is proposed to be used in association with a new two-family use: the parking area may be expanded toward the side of the lot but may not encroach further in front of the home between the home and the street.
- iii. No more than four cars may be parked beside a dwelling. Additional vehicles must be parked behind a dwelling or inside a garage.
- iv. Parking for more than four cars shall be separated by landscaped areas of at least six (6) feet by six (6) feet.
- v. Parking areas behind a dwelling shall be adequately screened to block car headlights from illuminating adjacent properties
- vi. The Planning Board may issue a special permit for alternative parking configurations when: the proposed design maintains an equal level of safety and no more than four cars will be visible from a public way

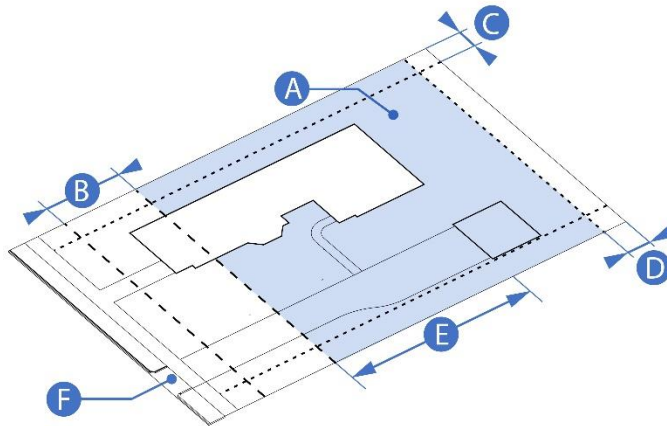
Illustrative Examples of Parking Configurations



b. Detached Garage Design

i. When a detached garage is located to the side of a dwelling and the garage doors face and are visible from the street, the width of the detached garage must be no more than 75% of the width of the principal dwelling on the property.

ii. Detached Garage Front Setback -20' min **E**



c. Attached Garage Design

- i. When an attached garage is located between two dwelling units, the garage doors must face the side or rear of the lot.
- ii. When the garage door(s) of an attached garage faces and is visible from the street, no garage door shall be wider than 12'.
- iii. For attached garages in the SR, RR, and WSP districts when the garage doors do not face the street, the façade of the garage visible from the street shall have window glazing that covers at least 20% of that exterior façade.

4) Screening

- a. All exterior mechanical structures must be located along the sides or rear of structures or screened from view from public ways.
- b. All refuse containers must be contained within a structure or screened from view from a public way and adjacent properties.
- c. For every tree over 3" in caliper removed for construction, a replacement shade tree of at least 1" caliper must be planted on the property. When more than three trees are required for replacement, a variety of shade trees selected from the Planning Board's tree planting list must be selected.

[City's Tree List and Planting Guidelines](#)

CITY OF NORTHAMPTON

MASSACHUSETTS

*Two-Family By- Right
Ordinances 5 of 10*

In the Year Two Thousand Twenty

Upon the Recommendation of the Mayor and Office of Planning and Sustainability

20.167 An Ordinance Relative to Two-Family By Right - Addition of WSP District Table of Use

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by replacing section 350, Attachment 24 of said code; updating layout for WSP District and adding two-family residences by right.

ORDINANCE

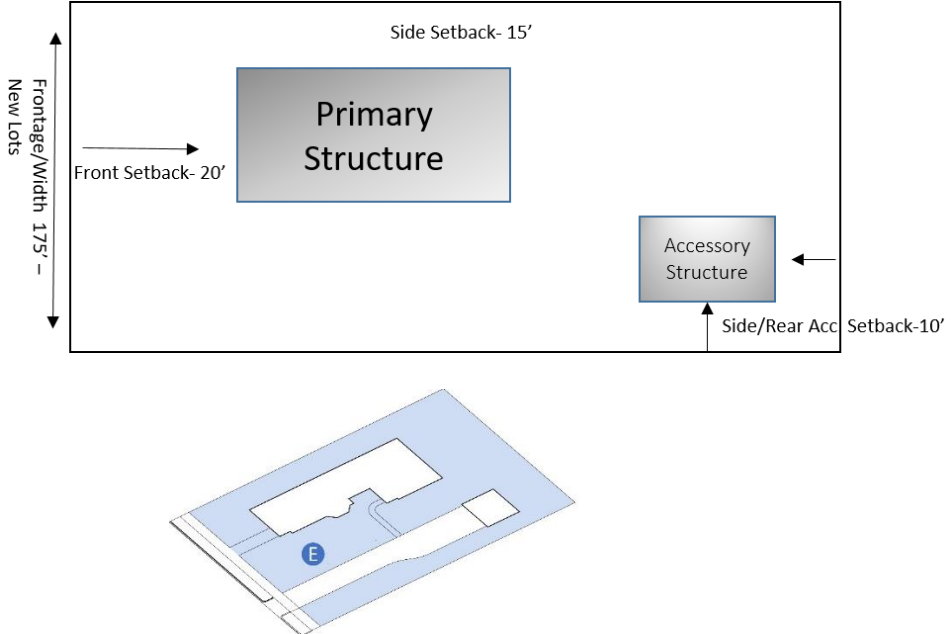
An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

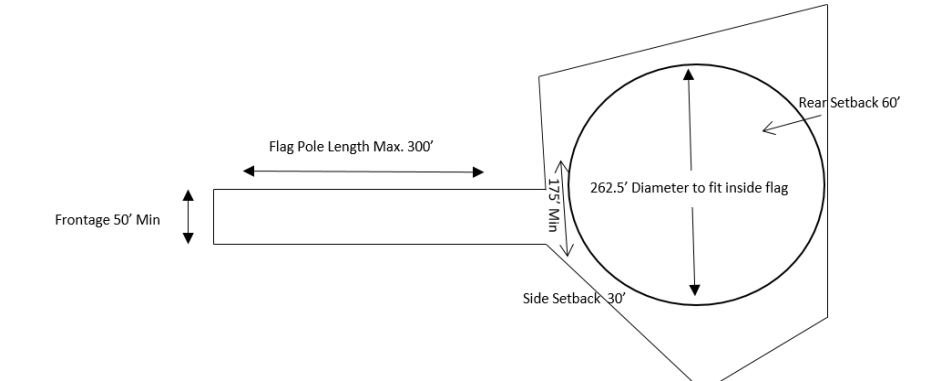
SECTION 1

Add new "Table of Use and Dim Regulations WSP District" as follows

WSP District (Water Supply Protection)

Description:	Example Uses/Structures
<p>Primarily low density residential over the City's drinking water protection zones including Zone 1 and 2 wellhead protection Minimum lot sizes are larger to ensure onsite recharge for new lots. Existing built neighborhoods and new lots have slightly greater minimum open space requirements than other neighborhoods.</p>	

Lot Dimension Requirements	Layout Setbacks
<p>Lot Size- standard - Existing House Lots: Lot size/ frontage/depth: Same as in existence on June 7, 2007, or 80,000 square feet & 175' frontage/width, whichever is less Open Space = 60%</p> <p>New Lots 80,000 square ft. Min. Frontage/Width = 175' Min. Depth = 200' Min.</p> <p>Open Space = 85% E See Also §350-15.9</p> <p>Setbacks (accessory structures)* Front = 20' Min Side = 15' Min (4' detached accessory) Rear = 20' Min (4' detached accessory)</p> <p>*Attached Accessory Structures may be 10' from side and rear lot lines when used only as garage/storage space.</p> <p>Max Height= 35' (20' detached accessory) Ground Mount Solar, Essential Srvcs/Municipal Facil: 0 Min. Lot Size</p>	

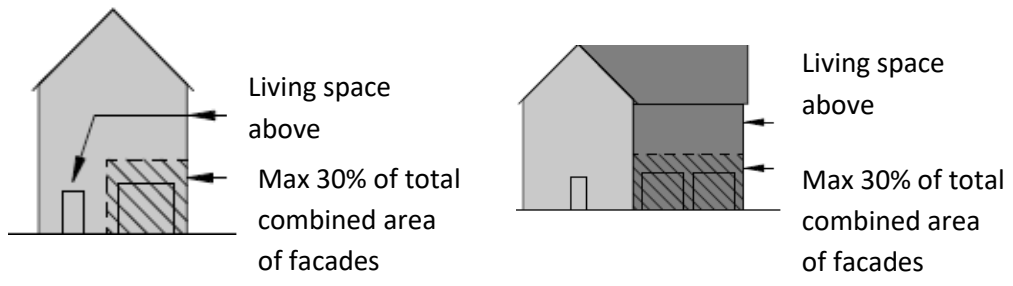
<p>Flag Lot Size- 80,000 square ft. minimum Frontage/Width = 50' Min. Depth = 200' Min.</p> <p>Setbacks Front = 40' Min Side = 30' Min (10' Det Acc structure) Rear = 60' Min (10' Det Acc structure)</p> <p>Max Height = 35' Open Space = 85%</p>	<p align="center">FLAG LOT LAYOUT</p> 
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Design Standards Illustrated

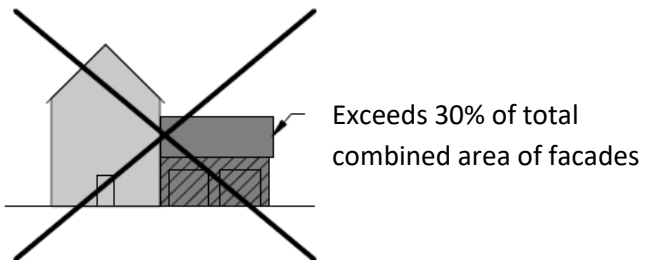
1. For attached garages/ parking structures that face the street,
 a) The front face of the garage must be stepped back 10' from the house façade; and
 b) The garage shall comprise no more than 30% of the front façade of the primary structure, unless the garage is stepped back from the façade by 20' (A).

The criteria above does not apply to residential structures that are either behind another principal structure, which is along the street front, or if the structure is setback 50' or more from the front lot line.

See additional specific criteria for 2-family homes. 350-6.11.



DOESN'T FIT



Minimum Parking for residential uses

For other uses see table in 350-8.2

1 space per 1,000 ft² Gross Living Area (round up). No more than 2 spaces required per unit.

Front yard setback may only have parking for a maximum of two vehicles

WSP USES ALLOWED

Uses Allowed By Right:

- Single Family residence
- ~~Two-Family/Attached (to a single family) accessory dwelling unit not to exceed 900 F² Gross Living Area. See 350-10.10. Same setback as for principal structures. See §350-6.11 for additional criteria. EDITOR'S NOTE: Create HOTLINK)~~
- Home Business up to 25 visits per week as defined in sect.2.1
- Preexisting nonconforming uses (may trigger ZBA permit)
- Accessory uses to residential: Tag Sales -temporary sales of personal and household articles, Pets/animals section 5.3
- Accessory structures- detached (but no larger than 1,000 ft² of lot coverage or 3% of lot area whichever is greater unless it is used for agricultural purposes) See also § 350-6.7.
- Family day care (registration w/Building Commissioner required)
- Cemetery, including any crematory therein
- Temporary event as defined in 350-2.1
- Agriculture, horticulture, floriculture, noncommercial forestry, the growing of all vegetables and a temporary (not to exceed erection or use for a period of four months in any one year) greenhouse or stand for retail sale of agricultural or farm products raised primarily on the same premises. Dimensional Standards do not apply.
- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic(PV) ground-mounted on a parcel with any building/ use, provided that the PV is sized to generate no more than 100% or 12 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.
- Any excavation incidental to a permitted use within three feet of the annual groundwater table with staff review to ensure there will be no groundwater contamination and site will not be dewatered.
- Essential Facilities – Setbacks of structures are that of Principal structures.
- Municipal Facility - Setbacks of structures are that of Principal structures.
- Short-term rental: allowed only upon annual registration with the City. Use as a registered rental is only valid for the year in which registration is completed and expires December 31 each year.
- Any excavation incidental to a permitted use within three feet of the annual groundwater table with staff review to ensure there will be no groundwater contamination and site will not be dewatered.

Two Family

Site Plan Approval required for the following:

- Any ~~new c-~~Construction (other than for a single family ~~or two-family less than 3,400 sf of GFA~~ home) greater than 2,000 ft²
- ~~Two Single Dwellings on the same parcel/Detached Accessory Dwelling. See §350-6.11 for additional criteria. (EDITOR'S NOTE: Create HOTLINK)~~
- ~~Detached accessory dwelling unit for single family home meeting same setback requirements as a single family home see §350-10.10.—Administrative Site Plan~~
- Educational use: non-profit, any religious use, day care, school-aged child-care program (MGL c. 28A, § 9);
- Reuse of Historic Educational or Religious Building(s) for: Any residential use, live/work space, or office, provided however that no more than 20% of the floor space of the building(s) shall be used for medical, banking or any offices where a primary function is to provide services to retail customers or individuals. All such uses approved under this provision shall be within the footprint of existing building(s) and may only be approved contingent upon protection of all historically contributing portions of the building with a Historic Preservation Restriction granted to the City of Northampton in a form acceptable to the Planning Board, with input from the Historical Commission, as preserving the key character defining features visible from the road (and not necessarily meeting federal or state preservation standards for the entire building). The existing building may be expanded to accommodate elevators and stairwells. Portions of the building that are not part of the original architecture of the building and which do not contribute to the historical or architectural significance of the building as determined by the Planning Board, with input from the Historical Commission, may be demolished.
- Solar photovoltaic of any size, ground-mounted—*Administrative Site Plan*:

1. Over any legal parking lot or driveway;
2. At any landfill site not separate from the site-assigned property by any road; and
3. At an airport not separated from the runways by any road.

- Solar photovoltaic (PV), large-scale ground mounted with less than two acres of tree removal: Any other solar photovoltaic (PV), large-scale ground-mounted not listed above, where less than two acres of tree removal is planned. The removal of significant trees on the subject parcel(s) must be replaced in accordance with § 350-12. 3 and includes tree removal that occurs within 12 months immediately prior to an application for installation of such a system. No minimum frontage or lot size. Panels shall be setback 50' from all lot lines. A planted buffer to abutting residential property shall be at least 15 feet in width along the property boundary. It shall contain a screen of plantings of vertical habit in the center of the strip not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs shall be planted not more than five feet on center, and individual trees thereafter shall be maintained by the owner or occupants so as to maintain a dense screen year-round. At least 50% of the plantings shall be evenly spaced. Whenever possible, existing trees and ground cover should be preserved in this strip, reducing the need to plant additional trees. Trees may not be cut down in this strip without site plan approval.

1 The owner or operator shall remove the installation no more than 150 days after the date of discontinued operations. Removal shall consist of:

- a. Removal of all structures, equipment, security barriers, transmission lines, conduits, poles.
- b. Disposal of all waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. If the owner/operator fails to remove the installation in accordance with the requirements of this section, the City shall have the right, exercise or call the bond/performance guarantee in order to cover the cost of removal. Performance guarantee: Applicants shall submit an itemized cost estimate for complete decommissioning of the array as specified above. Prior to beginning construction the applicant shall post a performance guarantee in the form of a bond or escrow or other guarantee approved by the Planning Board for the amount to cover decommissioning, including a 20% contingency and calculated with twenty-year inflation factor. ~~Installation must be maintained in good condition with painting, structural repairs and security maintained and facilities no longer being used dismantled within 90 days.~~

- Parking off site and combined parking. See § 350-8.5 and 350-8.7
- Creation or expansion of six or more contiguous parking spaces.
- Parking requirement reduction. See § 350-8.10F.
- Residential Shared driveways see § 350-8.8R
- Year-round greenhouse / stand for wholesale and retail sale of agricultural farm products raised on site
- ~~Detached Accessory Dwelling Unit see 10.10—Administrative Site Plan~~
- Telecommunication antennas which are located on existing telecommunications towers or other structures which do not require the construction of a new tower (in accordance with § 350-10.9)
- Open/Outdoor marijuana cultivation.
 1. All security fencing that includes razor wire or other physical security measures that are not typically residential in character must be screened with vegetation so that it is not visible from public ways nor from other principal residential structures within 300 feet.
 2. If a fence or other security structure is planned within a FEMA-mapped floodplain, it must be shown to be engineered to withstand expected floodwaters or it must be engineered to include a breakaway that opens during flood conditions.

Special Permit Approval required for the following uses by Planning Board unless otherwise noted:

- Home Business for personal service business by appointment only or Home Business more than 25 visits etc. see 10.12 for other criteria—*Zoning Board of Appeals Special Permit*
- Flag lots. for Single, Two-Family or Two Single Family See § 350-6.10, 6.11.
- Bed-and-breakfast/Tourist home
- Commercial stable or kennel in which all animals, fowl, or other forms of life are completely enclosed in pens or other structures. See § 350-10.8 and exemptions MGL c. 40A.

- Outdoor Commercial Recreational use, miniature golf, temporary carnival
- Any other private school, college or university
- Historical association or society and nonprofit museum (may include the residence of a caretaker)
- Accessory solar photovoltaic ground-mounted on a parcel with any building or use, between 8-12 KW or over 100% but no more than 200% of the annual projected electric use of the non-PV building or use.
- Private Utility or Substation, small scale hydroelectric generation.
- New Telecommunications facility in accordance with §§350-2.1 and 10.9.
- Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.
- Processing and treating of raw materials including operations appurtenant to the taking, such as grading, drying, sorting, crushing, grinding and milling operations. See § 350- 10.3.
- Removal of sand, gravel, quarry, or other raw material. See § 350-10.3.
- Filling of any land. See §10.4 Filling of water or any wet area. See §10.3.
- Private bridge, tunnel
- Railroad passenger terminal
- Municipal facility
- Heavy public use. See § 350-10.7.— *City Council Special Permit*
- Membership club operated as a not-for-profit corporation, as defined by MGL c. 180, excluding any adult establishments which display live nudity -
- Site alteration, structure or impervious surface within 200 feet of any watercourse (including intermittent) which are tributaries to a public water supply
- Funeral establishment
- Community Center
- ~~Assisted living residences, nursing homes~~
- Cluster residential development. See § 350-10.5.
 - Cluster Development Layout Standards
 - a. Project lot = 4-acre minimum
 - b. Project frontage = 175 feet
 - c. Project depth = 200 feet
 - d. Setbacks from project boundary:
 - Front = 40 feet
 - Side = 20 feet
 - Rear = 50 feet
 - e. Individual lot frontage, setbacks, frontage = 0 feet
 - f. Maximum height = 35 feet
 - g. Project open space = 75%
 - h. Design: Planning Board to review layout to ensure project transitions between existing neighborhood along street and proposed project. For new buildings, setback, scale, massing should fit within the area. Mature specimen trees shall be preserved unless shown to be infeasible. No minimum setbacks, lot size, frontage, or open space for internal lots. More than one structure may be located on a single lot.
- Solar photovoltaic (PV), large-scale groundmounted with more than two acres of tree removal.

A planted buffer to abutting residential property shall be at least 15 feet in width along the property boundary. It shall contain a screen of plantings of vertical habit in the center of the strip not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs shall be planted not more than five feet on center, and individual trees thereafter shall be maintained by the owner or occupants so as to maintain a dense screen year-round. At least 50% of the plantings shall be evenly spaced. Whenever possible, existing trees and ground cover should be preserved in this strip, reducing the need to plant additional trees. Trees may not be cut down in this strip without site plan approval

 - 1. The owner or operator shall remove the installation no more than 150 days after the date of discontinued operations. Removal shall consist of: a. Removal of all structures, equipment, security barriers, transmission lines, conduits, poles. b. Disposal of all waste in accordance with local, state, and federal waste disposal regulations. c. Stabilization or re-vegetation of the site as necessary to minimize erosion. If the owner/operator fails to remove the installation in accordance with the requirements of this section, the City shall have the right, exercise or call the bond/performance

- guarantee in order to cover the cost of removal. Performance guarantee: Applicants shall submit an itemized cost estimate for complete decommissioning of the array as specified above. Prior to beginning construction the applicant shall post a performance guarantee in the form of a bond or escrow or other guarantee approved by the Planning Board for the amount to cover decommissioning, including a 20% contingency and calculated with twenty-year inflation factor.
2. The Board must find that the removal of trees will not negatively impact the health, safety and welfare of the residents of Northampton by maintaining a robust and diverse ecosystem for the residents while also creating renewable energy systems. In order for the Board to make such finding, the applicant shall submit an analysis of the proposed project's impact relative to the benefit of the solar installation as follows:
 - a. Analysis showing that tree removal which occurs on more than one acre of slopes greater than 20% will not cause erosion of topsoil and will not increase siltation of any streams present on the site or within 200 feet of the property boundary.
 - b. Analysis of the forest type and relevant habitat that will be lost. This analysis must include the structure and diversity of the canopy, midstory and understory of the forested area to be cleared. Analysis must be performed by an individual with a master's degree in wildlife biology or ecological science from an accredited college/university or other competent professional with at least two years of experience in wildlife habitat evaluation.
 - i. Any forested area within which certifiable vernal pools are found must be identified and a permit from the Conservation Commission must be granted prior to review by the Planning Board.
 - ii. Any forested area containing clusters of five or more healthy trees of 20 inches diameter breast height or greater that are not in decline shall be preserved in order to continue to provide high value ecological benefit to the community. Connection of these larger trees to surrounding stands of trees shall be maintained.
 - iii. As part of the forest type analysis, the report shall contain information regarding the abundance and distribution of habitats within the region and of the specific site and any historical information on the extent and quality of these habitats and impact of clearing on these habitats. The applicant must show through analysis that habitat is not fragmented and that connectivity remains in the proposed conditions.
 - c. Analysis by a qualified third party showing that the project will be carbon-neutral over the first 10 years of operation. The applicant shall provide the following calculations:
 - i. The total volume of trees to be removed (provided by an independent certified forester) and the projected volume of trees over a ten-year period of additional growth.
 - ii. Subtracting the estimated live-wood in replacement trees provided under the significant tree section of this zoning ordinance 10 years after planting.
 - iii. Conversion of the net live-wood to be removed to short tons of carbon (using research from the Northern Institute of Applied Climate Science or other methodology after approval by the permit granting authority).
 - iv. Subtraction of the carbon offsets (short tons of carbon) provided by the solar photovoltaic project over 10 years of operation, including the calculation of potential carbon stored had the trees continued to thrive in that same ten-year window. 350 Attachment 24:8 Supp 11.4, May 2020 ZONING e. If there is any net release of carbon with the above calculations, the applicant shall assign renewable energy credits (REC) to the City to match or exceed said release of carbon. However, RECs may not be used to fund biomass projects.
 - d. At least 50% of the property shall be protected from tree clearing and future development for the duration of the operation of the solar array installation and until such time as the system is decommissioned and removed.
 - e. Within the area beyond the first two acres of canopy removed, stumps for removed trees must remain in place and no excavation/soil disturbance is allowed other than what would be required to bore support posts for the PV panels.
 - f. Electrical transformers for utility interconnections may be aboveground only if required by the utility provider. Power and telecommunications poles and equipment shall not be visible from the public way.

City of Northampton

MASSACHUSETTS

Two-Family By- Right
Ordinances 6 of 10

In the Year Two Thousand Twenty

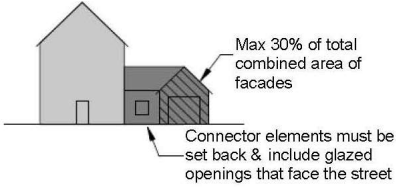
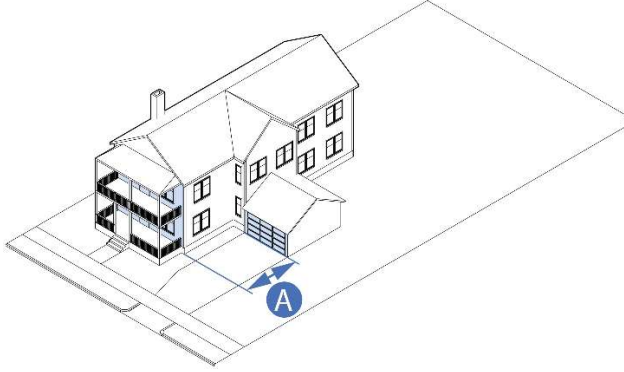
Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.168 An Ordinance Relative to Two-Family By Right - Amendment to SR-RR Table of Use

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SR and RR Attachments 5 & 4 Be modified by adding and deleting text as Follows *with no other changes to Attachment 4 or 5:*

SR & RR District	
Design Standards Illustrated Planning Board may waive, by site plan approval element 2, if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)	
<p>1- 1. If aFor attached garages/ or other parking structures that face the street, is attached, it must be set</p> <p>a) -The front face of the garage must be stepped back 120' from the house façade; and</p> <p>b) Tthe garage/structure shall comprise no more than 30% of the front facade of the primary structure, unless the garage is stepped back from the façade by 20' (A).</p> <p>The criteria above does not apply to residential structures that are either behind another principal structure which is along the street front or if the structure is setback 50' or more from the front lot line.</p>	<p>DELETE:</p> <ul style="list-style-type: none">Primary StructureGarage or Parking StructureArea  <p>ADD:</p> 

See additional specific criteria for 2-family homes. If a garage or other parking structure is attached, it shall comprise no more than 30% of the front facade of the primary structure.

SR & RR USES ALLOWED

Uses Allowed By Right:

- Single Family residence
- ~~Two Family less than 3,400 sf~~ See also §350-6.11 NOTE: Make Hyperlink

Site Plan Approval required for the following:

- ~~Two-Family greater than 3,400 sf~~ and Two Single Family dwellings per lot . See also §350-6.11 Note: Make Hyperlink
- Any Construction (other than for a single family home) greater than 2,000 ft²

All references in Uses allowed by Right and site plan for Accessory Dwelling units of 900 Sf or less to be deleted:

Attached (to a single-family) accessory dwelling unit not to exceed 900 ft.2 gross living area. See § 350-10.10. Same setback as for principal structures;

Detached accessory dwelling unit for single-family home meeting same setback requirements as a single-family home. See § 350-10.10—Administrative Site Plan

RECOMMEND COUNCIL NOT ADOPT THIS-- TAKE OUT

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Two-Family By- Right
Ordinances 7 of 10

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.169 An Ordinance Relative to Two-Family By Right - Amendment to Projects Requiring Site Plan Approval

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Modify §350-11.2 as follows:

§ 350-11.2 Projects requiring site plan approval as intermediate projects.

No building permit, zoning permit, or special permit shall be issued for the following intermediate projects prior to the review and approval of a site plan in accordance with this section:

A. Projects which involve new construction or additions of between 2,000 square feet and 5,000 square feet of gross floor area (excluding single-family dwellings and two-family dwellings under 3,400 sf, expansions in the CB District that do not involve footprint expansions, and projects used exclusively for agriculture, horticulture or floriculture).

City of Northampton

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*Two-Family By- Right
Ordinances 8 of 10*

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Delete Chapter 350-10.10 and 350-10.11 in their entirety

City of Northampton
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*Two-Family By-Right
Ordinances 9 of 10*

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.171 An Ordinance Relative to Two-Family By Right - Amendment to Parking Standards

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Chapter 3 50-PARKING STANDARDS 8.8

directly in front of

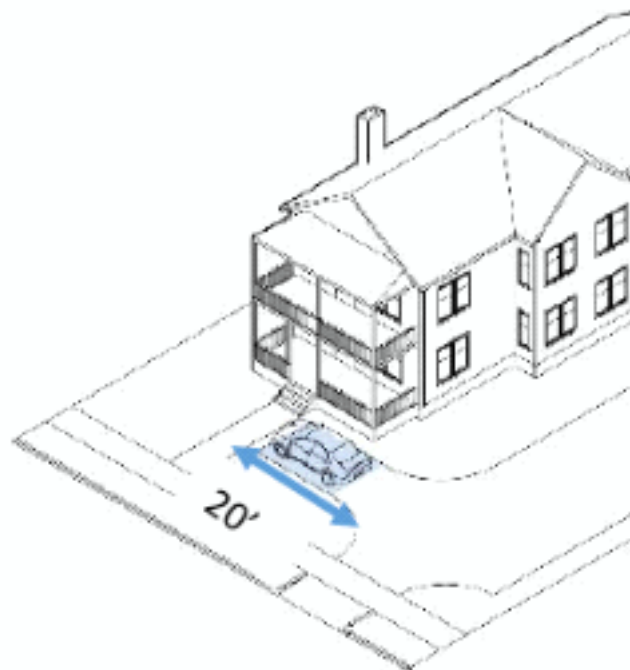
D. Parking shall not be located within five feet from the front lot line for residential uses, 15 feet for uses in M District, nor 10 feet for other uses.

(1) For all residential uses in all residential districts except for URC, parking for more than two vehicles shall not be permitted within the front yard setback.

(2) ~~Within the URA, B and C districts, no more than 1 parking space may be located between a public street and the front of a dwelling's front facade. Parking is not permitted within any of the setbacks in the Planned Village District.~~

G. There shall be a maximum of one driveway curb cut per lot. In CB, GB, EB and HB Districts and for all new two-family lots, a special permit from the Planning Board is required for more than one curb cut.

The width of pavement for driveways and parking shall be no greater than 20' across the width of the parcel between the house and the street. Parking may be located in the frontage to the side of the front facade.



City of Northampton

MASSACHUSETTS

Two-Family By- Right
Ordinances 10 of 10

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.172 An Ordinance Relative to Two-Family By Right - Amendment to SC Table of Use

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow two-family homes/lots by-right in most of the residential districts within the City.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SC Attachment 18 Be modified by adding and deleting text as Follows *with no other changes to Attachment 18:*

SC USES ALLOWED

Uses Allowed By Right: (see above)

- Attached (to a single-family) ~~accessory dwelling~~two family unit not to exceed 900 ft² gross living area. ~~See § 350-10.10.~~ Same setback as for principal structures. Allowed ONLY within homes existing as of June 30, 2005, and for those that meet all State Building Code and requirements under the Wetlands Protection Act and Wetlands Ordinance.

Site Plan Approval Required for the Following:

- Any construction (other than for a single-family home) greater than 2,000 ft²
- The addition of a second unit less than 900 sf. on a parcel detached from the existing single family home. Allowed ONLY within existing footprint and within homes existing as of June 30, 2005, and for those that meet all State Building Code and requirements under the Wetlands Protection Act and Wetlands Ordinance. See additional criteria in 350-6.11

Special Permit Approval Required for the Following Uses by Planning Board Unless Otherwise Noted:

- ~~Detached accessory dwelling unit. See § 350-10.10—Zoning Board of Appeals Special Permit~~