

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: April 15, 2021**  
**Meeting Time: 7 p.m.**

The April 15, 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:** <https://bit.ly/2Oy1Nj4>

For telephone call-in, call:

+253 215-8785 US

+301 715-8592 US

MEETING ID: 926 8586 9036

PARTICIPANT #: #

PASSCODE: 618734

**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 Public Hearing on 21.197 National Grid/Verizon Petition for Installation of Underground Conduit Damon Road (Petition#23303524)**

Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, May 6, 2021 at 7:05 p.m.** on National Grid/Verizon New England's petition to install underground conduit on Damon Road (Petition #23303524). Instructions for accessing the hearing may be found on the May 6, 2021 City Council agenda to be posted on the city website ([www.northamptonma.gov](http://www.northamptonma.gov)) at least 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon.

Documents:

[21.197 DPW Recommendation.pdf](#)

[21.197 Distribution Civil Drawings - REVISED.pdf](#)

[21.197 REVISED National Grid Petition for Installation of Underground Conduit on Damon Road.pdf](#)

### B. **7:05 pm Public Hearing on 21.200 National Grid/Verizon New England Pole Petition for Warner Street (Petition#30293688)**

Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, April 15, 2021 at 7:05 p.m.** on National Grid/Verizon New England's petition to install one jointly-owned pole on Warner Street to serve two new homes (Petition# 30293688). The City Council will hear all persons who wish to be heard thereon.

Documents:

[21.200 DPW Recommendation.pdf](#)

[21.200 REVISED Cover Letter.pdf](#)

[21.200 Sketch.pdf](#)

[21.200 REVISED National Grid-Verizon Pole Petition for Warner Street.pdf](#)

## 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. 21.231 A Resolution Declaring a Climate Emergency - 2nd reading**

**History:**

- Passed 1st reading - 4/1/2021

Documents:

[21.231 A Resolution Declaring a Climate Emergency.pdf](#)

**B. 21.233 A Resolution to Review and Revise the Rules and Committees of the City Council - 2nd reading**

**History:**

- Passed 1st reading - 4/1/2021

Note: Council President to come up with structure and composition of Select Committee for second reading.

Documents:

[21.233 A Resolution to Review and Revise the Rules and Committees of the City Council.pdf](#)

**9. Presentations**

**A. 2020 Special Committee for Review of Ordinances - Final Report**

Presentation and Discussion with Ordinance Review Committee Members

Documents:

[FINAL Report of 2020 Special Committee for Review of Ordinances.pdf](#)

**10. Consent Agenda**

**A. Minutes of March 4, 2021 and March 18, 2021**

Documents:

[03-04-2021\\_City Council Minutes.pdf](#)

[03-18-2021\\_City Council Minutes.pdf](#)

**B. 21.206 Appointment of David Whitehill to the Planning Board, positive recommendation, City Services Committee - 4/5/2021**

**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](#)

**C. 21.210 Appointment to Planning Board - positive recommendation, City Services Committee - 4/5/2021**

**Planning Board**

**Samuel Taylor** (Full Member), 245 North Street, Northampton

Term: July 2020-June 2023

*Reappointment*

Documents:

[21.210 Appointment to Planning Board.pdf](#)

**D. 21.245 Petitions for Secondhand Dealer Licenses**

Renewal Licenses for:

Antiques Corner, 81 Loudville Road  
Applicant: Louis M. Farrick

Cumberland Rare Books, 9 1/2 Market Street  
Applicant: Hosea Baskin

Electric Eye Records, 52 Main Street, #6  
Applicant: Andrew Crespo

Norman E. Menard, 25 Garfield Avenue  
Applicant: Norman E. Menard

Roz's Place, 6 Bridge Street  
Applicant: Timothy Saldo

Sassy Pants Vintage & Used Clothing, 2 Conz St., Unit 2  
Applicant: Kathleen Molongoski

The Family Jewels, 56 Green Street  
Applicant: Richard J. Stone

Documents:

[21.245 Petitions for Second Hand Dealer Licenses.pdf](#)

**E. 21.246 Petitions for Pool Table Licenses - Packards**

Renewal Licenses for:

Packards, 14 Masonic Street  
Weekday and Sunday Pool Table Licenses  
Applicant: Robert E. McGovern

Documents:

[21.246 Petitions for Pool Table Licenses - Packards.pdf](#)

**F. 21.247 Petitions for Junk Dealer Licenses**

Renewal Licenses for:

Norman E. Menard, 25 Garfield Avenue  
Applicant: Norman E. Menard

Richard & Sharon Huntley, 254 Easthampton Road  
Applicant: Richard Huntley

Documents:

[21.247 Petitions for Junk Dealer Licenses.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. 21.244 An Order to Acquire and Amend Easements at the Mill River Greenway-Smith College - 1st reading**

Documents:

[21.244 An Order to Acquire and Amend Easements at the Mill River Greenway-Smith College.pdf](#)

**B. 21.248 An Order to Appropriate CPA Funds for Historic Northampton Collections Storage - 1st reading**

Documents:

[21.248 An Order to Appropriate CPA Funds for Historic Northampton Collections Storage.pdf](#)

**C. 21.249 An Order to Appropriate \$120,000 in CPA Funds Toward Habitat Housing on Burts Pit Road - 1st reading**

Documents:

[21.249 An Order to Appropriate 120,000 in CPA Funds Toward Habitat Housing on Burts Pit Road.pdf](#)

**D. 21.250 An Order to Appropriate \$14,500 in CPA Funds to Lilly Library Stair Repair Project - 1st reading**

Documents:

[21.250 An Order to Appropriate 14,500 in CPA Funds to Lilly Library Stair Repair Project.pdf](#)

**E. 21.251 An Order to Appropriate \$70,000 in CPA Funds for Historic Preservation Plan - 1st reading**

Documents:

[21.251 An Order to Appropriate 70,000 in CPA Funds for Historic Preservation Plan.pdf](#)

**F. 21.252 An Order to Appropriate \$21,250 in CPA Funds for Damon House/Shepherd Barn Project - 1st reading**

Documents:

[21.252 An Order to Appropriate 21,250 in CPA Funds for Damon House - Shepherd Barn Project.pdf](#)

**G. 21.253 An Order to Appropriate \$60,000 in CPA Funds for Mill River Greenway Beach Project - 1st reading**

Documents:

[21.253 An Order to Appropriate 60,000 in CPA Funds for Mill River Greenway Beach Project.pdf](#)

**H. 21.254 An Order to Appropriate \$50,000 in CPA Funds to the Affordable Housing Fund - 1st reading**

Documents:

[21.254 An Order to Appropriate 50,000 in CPA Funds to the Affordable Housing Fund.pdf](#)

**I. 21.255 An Order Authorizing Acquisition of a Parcel of Land on the Southeasterly Side of Brierwood Drive - 1st reading**

Documents:

[21.255 Order of Taking.pdf](#)  
[21.255 Plans - Edbert Homes Inc.pdf](#)  
[21.255 An Order Authorizing Acquisition of a Parcel of Land on the Southeasterly Side of Brierwood Drive.pdf](#)

**J. 21.256 An Order Authorizing Waiver of Right of First Refusal for 2.93 Acres off Kennedy Road - 1st reading**

Documents:

[21.256 An Order Authorizing Waiver of Right of First Refusal of 2.93 Acres Off Kennedy Road.pdf](#)

### 13. Financial Orders (on 2nd reading)

#### A. **21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 4/1/2021
- Passed 1st reading - 4/1/2021

Documents:

[21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving.pdf](#)

#### B. **21.234 An Order to Accept DA Sullivan \$10,000 Gift to Fund Public Art Projects - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 4/1/2021
- Passed 1st reading - 4/1/2021

Documents:

[21.234 An Order to Accept DA Sullivan 10,000 Gift to Fund Public Art Projects.pdf](#)

#### C. **21.235 An Order to Appropriate Marijuana Community Impact Fee \$2.6 Million to Various Projects - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 4/1/2021
- Passed 1st reading - 4/1/2021

Documents:

[21.235 An Order to Appropriate Marijuana Community Impact Fee 2.6 Million to Various Projects.pdf](#)

#### D. **21.237 An Order to Appropriate Free Cash \$400,000 to Animal Control Facility - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 4/1/2021
- Passed 1st reading - 4/1/2021

Documents:

[21.237 An Order to Appropriate Free Cash 400,000 to Animal Control Facility.pdf](#)

**14. Package of 11 Financial Orders to Implement FY2022 - FY2026 Capital Improvement Program (CIP) - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 4/1/2021
- Passed 1st reading - 4/1/2021

**A. 21.219 FY22 CIP - An Order to Authorize Borrowing \$6 Million for Radio System Upgrade - 2nd reading**

Documents:

[21.219 FY22 CIP - An Order to Authorize Borrowing 6 Million for Radio System Upgrade.pdf](#)

**B. 21.220 FY22 CIP - An Order to Authorize Borrowing \$450,000 for Hotel Bridge - 2nd reading**

Documents:

[21.220 FY22 CIP - An Order to Authorize Borrowing 450,000 for Hotel Bridge.pdf](#)

**C. 21.221 FY22 CIP - An Order to Authorize Borrowing \$685,000 for DPW Vehicles - 2nd reading**

Documents:

[21.221 FY22 CIP - An Order to Authorize Borrowing 685,000 for DPW Vehicles.pdf](#)

**D. 21.222 FY22 CIP - An Order to Appropriate \$500,000 from Capital Stabilization to Arch Street Bridge Repairs - 2nd reading**

Documents:

[21.222 FY22 CIP - An Order to Appropriate 500,000 from Capital Stabilization to Arch Street Bridge Repairs.pdf](#)

**E. 21.223 FY22 CIP - An Order to Appropriate \$25,000 from Cemetery Perpetual Care for Cemetery Projects - 2nd reading**

Documents:

[21.223 FY22 CIP - An Order to Appropriate 25,000 from Cemetery Perpetual Care for Cemetery Projects.pdf](#)

**F. 21.224 FY22 CIP - An Order to Appropriate \$1.8 Million Free Cash to Various Projects - 2nd reading**

Documents:

[21.224 FY22 CIP - An Order to Appropriate 1.8 Million Free Cash to Various Projects.pdf](#)

**G. 21.225 FY22 CIP - An Order to Appropriate \$150,000 from PEG Access Fund to IT Services Projects - 2nd reading**

Documents:

[21.225 FY22 CIP - An Order to Appropriate 150,000 from PEG Access Fund to IT Services Projects.pdf](#)

**H. 21.226 FY22 CIP - An Order to Appropriate \$115,000 from Parking Receipts Reserved for Parking Projects - 2nd reading**

Documents:

[21.226 FY22 CIP - An Order to Appropriate 115,000 from Parking Receipts Reserved for Parking Projects.pdf](#)

**I. 21.227 FY22 CIP - An Order to Appropriate \$215,000 from Sale of Land RRA Account for NPS Projects - 2nd reading**

Documents:

[21.227 FY22 CIP - An Order to Appropriate 215,000 from Sale of Land RRA Account for NPS Projects.pdf](#)

**J. 21.228 FY22 CIP - An Order to Appropriate \$94,575 from Sale of Land RRA Account for Florence Fields Recreation Area - 2nd reading**

Documents:

[21.228 FY22 CIP - An Order to Appropriate 94,575 from Sale of Land RRA Account for Florence Fields Recreation Area.pdf](#)

**K. 21.229 FY22 CIP - An Order to Appropriate \$424,000 from Sale of Land RRA Account for Water Line Replacement - 2nd reading**

Documents:

[21.229 FY22 CIP - An Order to Appropriate 424,000 from Sale of Land RRA Account for Water Line Replacement.pdf](#)

**15. Orders**

**16. 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. 21.240 An Ordinance Relative to Parking on Front Street**

Documents:

[21.240 An Ordinance Relative to Parking on Front Street.pdf](#)

**B. 21.241 An Ordinance Relative to Parking on Grove Avenue**

Documents:

[21.241 An Ordinance Relative to Parking on Grove Avenue.pdf](#)

**C. 21.242 An Ordinance Relative to Parking on Florence Street**

Documents:

[21.242 An Ordinance Relative to Parking on Florence Street.pdf](#)

**D. 21.243 An Ordinance Relative to Parking on Main Street, Leeds**

Documents:

[21.243 An Ordinance Relative to Parking on Main Street, Leeds.pdf](#)

**17. Florence Traffic & Parking Ordinances Sponsored by Transportation & Parking Commission (TPC)**

**History:**

- Scanlon Avenue and Cross Street Stop Signs (21.198 and 21.199) referred by City Council - 3/4/2021
- Pine/Maple/Mann Intersection & Pine Street Parking (21.213, 21.214, 21.215, 21.216) referred by City Council - 4/1/2021
- All positive recommendations, Legislative Matters - 4/12/2021

**A. 21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue - 1st reading**

Documents:

[21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue.pdf](#)

**B. 21.199 An Ordinance Relative to Stop Signs on Cross Street - 1st reading**

Documents:

**C. 21.213 An Ordinance Relative to Parking on Pine Street - 1st reading**

Documents:

[21.213 An Ordinance Relative to Parking on Pine Street.pdf](#)

**D. 21.214 An Ordinance Relative to Stop Signs on Maple Street, Mann Terrace and Pine Street - 1st reading**

Documents:

[21.214 An Ordinance Relative to Stop Signs on Maple Street, Mann Terrace and Pine Street.pdf](#)

**E. 21.215 An Ordinance Relative to Turning Restriction on Mann Terrace - 1st reading**

Documents:

[21.215 An Ordinance Relative to Turning Restriction on Mann Terrace.pdf](#)

**F. 21.216 An Ordinance Relative to One-Way Street on Mann Terrace - 1st reading**

Documents:

[21.216 An Ordinance Relative to One-Way Street on Mann Terrace.pdf](#)

**18. Ordinances**

**A. 20.181 An Ordinance Relative to Affordable Housing (350-6-12) - 2nd reading**

**History:**

- Referred to Community Resources, Legislative Matters and the Planning Board - 1/7/2021
- Positive recommendation, Community Resources - 2/23/2021
- Joint Planning Board/Legislative Matters Committee public hearing held - 3/8/2021
- Planning Board unanimously recommends adoption (David Whitehill absent) - 3/8/2021
- Positive recommendation, Legislative Matters - 3/8/2021
- Postponed to 4/1/2021 - 3/18/2021
- Amended to delete 'wood' from list of fossil fuels and add "or b) show evidence of Commonwealth funding that requires units be counted on the DHCD SHI"
- Passed 1st reading as amended

Documents:

**B. 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 - 2nd reading**

**History:**

- Referred to Community Resources, Legislative Matters and the Planning Board - 2/4/2021
- Positive recommendation, Community Resources - 2/23/2021
- Joint Planning Board/Legislative Matters Committee public hearing held - 3/8/2021
- Planning Board unanimously recommends adoption (David Whitehill absent) - 3/8/2021
- Positive recommendation, Legislative Matters - 3/8/2021
- Postponed to 4/1/2021 - 3/18/2021
- Passed 1st reading - 4/1/2021

Documents:

[21.189 An Ordinance to Create Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes.pdf](#)

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

**20. New Business**

**21. Adjourn**

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



**CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060**

**413-587-1570  
Fax 413-587-1576**

**Donna LaScaleia  
Director**

## Memorandum

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To: Donna LaScaleia, Director of Public Works *Approved M 4-1-2021*  
From: David Veleta, City Engineer  
Date: March 31, 2021  
Re: Council Order 21.197 – Petition for Installation and Maintenance of Underground Conduit and Manholes No. 23303524 – Damon Road Reconstruction Project MassDOT No. 608236 – Damon Road

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I have reviewed Department of Public Works (DPW) records and submittals including images, sketches and reconstruction plans for MassDOT Damon Road project No. 608236. This petition with a revised plan dated March 24, 2021, includes the proposed construction of a line of underground electric conduits and manholes, including the necessary sustaining and protecting features, under and across the public ways or ways, by National Grid, referenced in City Council Order 21.197.

The installation is proposed to be located beginning at a point approximately 178 feet northeast of the centerline of the intersection of Industrial Drive and Damon Road and continuing in a northeast direction. National Grid proposes to install Manhole 1 with approximately 20 feet of four 5-inch, future use conduit to the northwest, approximately 45 feet of two 5-inch conduit to pole P7-25, approximately 377 feet of six 5-inch conduit from Manhole 1 to Manhole 2, approximately 37 feet of two 5 inch conduit from Manhole 2 to P7-50, and approximately 20 feet of four 5-inch, future use conduit to the northeast from Manhole 2, as shown on the attached plan dated March 24, 2021.

No potential conflicts were observed, but the contractor shall use caution when excavating since the exact location of the existing sewer force main is unknown.

A trench permit approved by the DPW has already been issued for the Damon Road project to Gagliarducci Construction who will be installing the manholes and conduit under contract with MassDOT. This permit will be revised to reflect the specifics of the above work upon approval of this petition by Council.

**Pole & UG Petition/Permit Request Form**

**City**

**Town of** \_\_\_\_\_ **WR #** \_\_\_\_\_  
(circle one)

**Install** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Remove** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Relocate** \_\_\_\_\_ **SO**  
(quantity) **JO Poles on** \_\_\_\_\_  
(circle one) (street name)

**Beginning at a point approximately** \_\_\_\_\_ **feet** \_\_\_\_\_ **of the centerline**  
(distance) (compass heading)

**of the intersection of** \_\_\_\_\_  
(street name)

**and continuing approximately** \_\_\_\_\_ **feet in a** \_\_\_\_\_ **direction.**  
(distance) (compass heading)

**Install underground facilities:**

**Street(s)** \_\_\_\_\_

**Description of Work:**

**ENGINEER** \_\_\_\_\_

**DATE** \_\_\_\_\_

# DISTRIBUTION CIVIL DRAWINGS

## DAMON RD

### NORTHAMPTON, MA

DRAWING LIST	
DRAWING NO.	CONTENT
G-0	COVER SHEET
G-1	GENERAL NOTES
PP-1 + PP-2	PLAN & PROFILE
DET-1	MANHOLE CARDS
DET-2	MANHOLE/CONDUIT/RISER DETAILS



124 Grove St. Franklin, MA 02038		PROJECT NO: 270728			
REV	DESCRIPTION	DATE	DES	CHK	APP
DESIGNED					
DRAWN					
CHECKED					
APPROVED					
REVIEW 1		3/24/21			
REVIEW 2					
		DATE: 3/24/21 SCALE: NTS		MASSDOT DAMON RD LAYOUT PLAN	
		G-0		REV. 0	
WR#23303524		F.W. Webb Compa			

**GENERAL NOTES:**

- CONTRACTOR TO PROVIDE AS-BUILT INFORMATION 10 DAYS AFTER COMPLETION OF CONDUIT INSTALLATION WORK.
- THE LOCATIONS OF UNDERGROUND STRUCTURES SHOWN HEREIN ARE DEPICTED ACCORDING TO THE BEST AVAILABLE INFORMATION. THEY ARE NOT GUARANTEED TO BE CORRECT OR COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM ALL CONDITIONS IN THE FIELD AND MAKE ADJUSTMENTS AS REQUIRED TO ACCOMMODATE THE WORK BY GETTING APPROVAL FROM NATIONAL GRID CONSTRUCTION MANAGEMENT FIRST. IT IS ASSUMED ALL PREMISES HAVE WATER, GAS, TEL. ELEC. SEWER, ETC. LATERAL CROSSINGS WHICH SHOULD BE INCLUDED IN THE BASE BID.
- ANY QUESTIONS REGARDING THE CIVIL ENGINEERING DESIGN OF THESE CONSTRUCTION PLANS SHOULD BE REFERRED TO TRC DISTRIBUTION ENGINEER DANIEL LOPEZ AT 774-235-2603 OR DAVID TERK AT 508-298-1523.
- DO NOT DEVIATE FROM THESE PLANS WITHOUT FIRST CONTACTING NATIONAL GRID CIVIL CONSTRUCTION SUPERVISOR:
  - GARY BELLOWS 413-652-9222
- ALL UNDERGROUND CONSTRUCTION SHALL BE INSPECTED AND APPROVED BY NATIONAL GRID PERSONAL PRIOR TO CONCRETE ENCASMENT AND BACKFILL. CONTRACTOR SHALL MANDREL, PROVE, AND INSTALL MULE TAPE IN ALL CONDUITS PER NATIONAL GRID CONSTRUCTION STANDARDS UNDER SUPERVISION OF NATIONAL GRID CONSTRUCTION SUPERVISOR.
- CONTRACTOR TO ARRANGE TO HAVE ALL FOREIGN UTILITIES VERIFY THEIR LOCATIONS IN THE FIELD PRIOR TO START OF EXCAVATION WORK BY CONTACTING DIG SAFE AT "811", 1-888-DIG-SAFE. NOT ALL UTILITY SERVICES TO PROPERTIES ARE SHOWN ON THESE PLANS. REFER TO NOTE 2 ABOVE.
- PROTECT ALL MUNICIPAL, STATE, AND FEDERAL SURVEY CONTROL MONUMENTS AND BENCH MARKS. CONTRACTOR TO CONTACT RESPECTIVE MUNICIPAL ENGINEERING DEPARTMENTS FOR TYPES AND LOCATIONS BEFORE STARTING WORK AS REQUIRED.
- PROTECT ALL PLANTS AND TREES AND THEIR ROOT SYSTEMS FROM MECHANICAL AND ENVIRONMENTAL DAMAGE DURING EXCAVATION. BACKFILL ROOT AREAS WITH SOIL HAVING TEXTURE AND FERTILITY TO SUSTAIN PLANT LIFE. CONTRACTOR TO REMOVE ALL ROOTS OF DEAD TREE STUMPS FROM TRENCH PRIOR TO PLACING CONDUIT. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF NECESSARY EROSION CONTROL (SILT SACKS, HAY BALES, CHECK DAMS, ETC.) APPROVED BY THE STATE, CITY/TOWN, AND QUONSET DEVELOPMENT CORPORATION AS REQUIRED FOR THE DURATION OF THE PROJECT.
- THE FOLLOWING MINIMUM CLEARANCES SHALL BE MAINTAINED UNLESS OTHERWISE NOTED:
 

UTILITY	CROSSING	PARALLEL
GAS MAIN	12"	12"
GAS SERVICE	12"	12"
WATER MAIN	12"	12"
WATER SERVICE	12"	12"
TELEPHONE/COMMUNICATION FACILITIES	12"	12"
STORM & SANITARY SEWERS	12"	12"
RAIL ROAD CROSSINGS	50"	50"

PLEASE NOTE, ANY DEVIATIONS FROM THESE MINIMUM CLEARANCES MUST BE REVIEWED AND APPROVED BY NATIONAL GRID & TRC.

UTILITY SERVICES AND LATERALS TO BUILDINGS ARE NOT SHOWN ON THESE PLANS. CONTRACTOR TO VERIFY THEIR LOCATIONS IN THE FIELD AND SUPPORT, PROTECT, MAINTAIN, AND WORK AROUND THEM AS REQUIRED IN ORDER TO COMPLETE THE PROPOSED WORK.
- ALL CONTRACTORS SHALL COMPLY WITH MINIMUM WORKING CLEARANCES FROM ALL ENERGIZED OVERHEAD EQUIPMENT AND CONDUCTORS PER OSHA REGULATIONS 1910.3333. IF MINIMUM WORKING CLEARANCES CAN NOT BE MET, CONTRACTOR MUST CONTACT NATIONAL GRID TO EVALUATE ALTERNATIVE MEASURES. THESE MEASURES MAY INCUR ADDITIONAL COSTS.
- CONDUIT TO BE PLACED AT MINIMUM 30" BELOW ELEVATION OF NEAREST PORTION OF ROAD PAVEMENT UNLESS OTHERWISE NOTED. MANHOLE ROOF TO HAVE A MINIMUM 18" OF COVER FROM FINISH GRADE UNLESS OTHERWISE NOTED.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND MUNICIPAL CODES, AS WELL AS THE REQUIREMENTS OF THE NATIONAL ELECTRIC SAFETY CODE, OSHA REGULATIONS AND NATIONAL GRID CONSTRUCTION STANDARDS/REQUIREMENTS.
- AREAS WHERE EXCAVATION IS IN ROCK LEDGE, PROVIDE A SIX (6) INCH MINIMUM SELECT FILL CUSHION AROUND CONDUITS AND TWELVE (12) INCH CUSHION AROUND MANHOLE.

- CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS REGARDING REMOVAL AND/OR DISPOSAL OF ANY AND ALL EQUIPMENT AND MATERIALS.
- CONTRACTOR SHALL MAINTAIN A FULL SIZE SET OF SCALED DRAWINGS (100% OF ALL PRINTS) ON SITE AT ALL TIMES DURING THE WORK.
- CONTRACTOR TO RECORD AND DOCUMENT A SINGLE, MULTI-PAGE .PDF PHOTOLOG OF THE ENTIRE WORK AREA. CONTRACTOR TO PROVIDE NATIONAL GRID PROJECT MANAGER A COPY OF THE PRE-CONSTRUCTION PHOTOLOG ALONG WITH A POST-CONSTRUCTION PHOTOLOG OF THE ENTIRE WORK AREA UPON COMPLETION OF ALL CIVIL WORK IN THE FIELD.
- REFER TO ALL NATIONAL GRID CIVIL CONSTRUCTION SPECIFICATIONS INCLUDED IN THE BID DOCUMENTS FOR ADDITIONAL INFORMATION REGARDING MANHOLE AND DUCT BANK INSTALLATION.

PLEASE NOTE:  
THE 12" MINIMUM CLEARANCES FROM OTHER UTILITIES SHALL BE MAINTAINED WHEREVER POSSIBLE. IF THE 12" MINIMUM CLEARANCE CANNOT BE ACHIEVED IN THE FIELD, CONTRACTOR TO USE ACCEPTABLE ALTERNATIVE MEANS TO PROTECT THE OTHER UTILITIES AND/OR CONFIRM APPROVAL FROM THE UTILITY OWNER FOR LESS THAN MINIMUM CLEARANCE.

**DISTRIBUTION DRAWING INDEX**

REFER TO DRAWINGS:

CIVIL & PROFILE DRAWINGS	PROPOSED MANHOLE DRAWINGS	DETAIL DRAWINGS
PP-1	DET-1	DET-1 DET-2

**ABBREVIATIONS**

NOTE: NOT ALL ABBREVIATIONS LISTED BELOW ARE USED FOR THIS PROJECT

#	NUMBER	HV	HIGH VOLTAGE
&	AND	INV	INVERT
⊙	AT	KV	KILOVOLT
>	GREATER THAN	KVA	KILOVOLT-AMPERE
<	LESS THAN	L	LENGTH
∅	DIAMETER	LF	LINEAR FOOT
A	AMPERE	LV	LOW VOLTAGE
ABAN	ABANDONED	M	METER
ABAND	ABANDONED	MAX	MAXIMUM
AC	AIR CONDITIONER	MH	MANHOLE
AC	ALTERNATING CURRENT	MIN	MINIMUM
APPROX. APP	APPROXIMATE	MISC	MISCELLANEOUS
B/	BOTTOM OF	MJ	MECHANICAL JOINT
BIT	BITUMINOUS	MW	MONITORING WELL
BLDG	BUILDING	N	NORTH
BVCE	BEGIN VERTICAL CURVE ELEVATION	N/F	NOW OR FORMERLY
BVCS	BEGIN VERTICAL CURVE STATION	NGVD	NATIONAL GEODETIC VERTICAL DATUM
C/C	CENTER TO CENTER	NIOSH	NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY AND HEALTH
CB	CATCH BASIN	PC	POINT OF CURVATURE
CI	CAST IRON	PCB	POLYCHLORINATED BIPHENYL
CL	CENTERLINE	PE	POLYETHYLENE
CLR	CLEAR	PILC	PAPER IN LEAD COVERED CABLE
CMP	CORRUGATED METAL PIPE	PIV	POST INDICATOR VALVE
CMPA	CORRUGATED METAL PIPE ARCH	PROP	PROPOSED
CMP1	COMPACT CABLE	PT	POINT, POINT OF TANGENCY
COM	COMMUNICATIONS	PVC	POLYVINYL CHLORIDE
CONC	CONCRETE	PVI	POINT OF VERTICAL INTERSECTION
CP	CONTROL POINT	R	RADIUS
CS	CARBON STEEL	RCP	REINFORCED CONCRETE PIPE
CU	COPPER	REQ'D	REQUIRED
CW	CLEAN WATER	RET	RETAINING
D	DIAMETER	RR	RAIL ROAD
DC	DIRECT CURRENT	S	SLOPE
DI	DUCTILE IRON	SCADA	SUPERVISORY CONTROL AND DATA ACQUISITION
DIA	DIAMETER	SCH	SCHEDULE
DMH	DRAIN MANHOLE	SD	STORM DRAIN
DWG	DRAWING	SF	SQUARE FEET
E	EAST	SMH	SANITARY MANHOLE
EL	ELEVATION	SQ	SQUARE
ELEC	ELECTRIC	SS	STAINLESS STEEL
ELEV	ELEVATION	STA	STATION
EMH	ELECTRIC MANHOLE	STL	STEEL
EOP	EDGE OF PAVEMENT	STORM	STORMWATER
EUE	EXISTING UNDERGROUND ELECTRIC	T&B	TOP AND BOTTOM
EUT	EXISTING UNDERGROUND TELEPHONE	T/	TOP OF
EVCE	END VERTICAL CURVE ELEVATION	TEL	TELEPHONE
EVCS	END VERTICAL CURVE STATION	TV	TELEVISION
EW	EACH WAY	TYP	TYPICAL
EX, EXIST	EXISTING	UE	UNDERGROUND ELECTRIC
FFE	FINISH FLOOR ELEVATION	UG	UNDERGROUND
FM	FORCE MAIN	UNO	UNLESS NOTED OTHERWISE
FO	FIBER OPTIC	V	VOLT
GALV	GALVANIZED	var	VOLT-AMPERE REACTIVE
GEN	GENERATOR	VC	VERTICAL CURVE
GRAN	GRANITE	VCP	VITREOUS CLAY PIPE
HDD	HORIZONTAL DIRECTIONAL DRILLING	VERT	VERTICAL
HDPE	HIGH DENSITY POLYETHYLENE	VP	VALVE PIT
HH	HANDHOLE	W	WATER
HORIZ	HORIZONTAL	W/	WITH

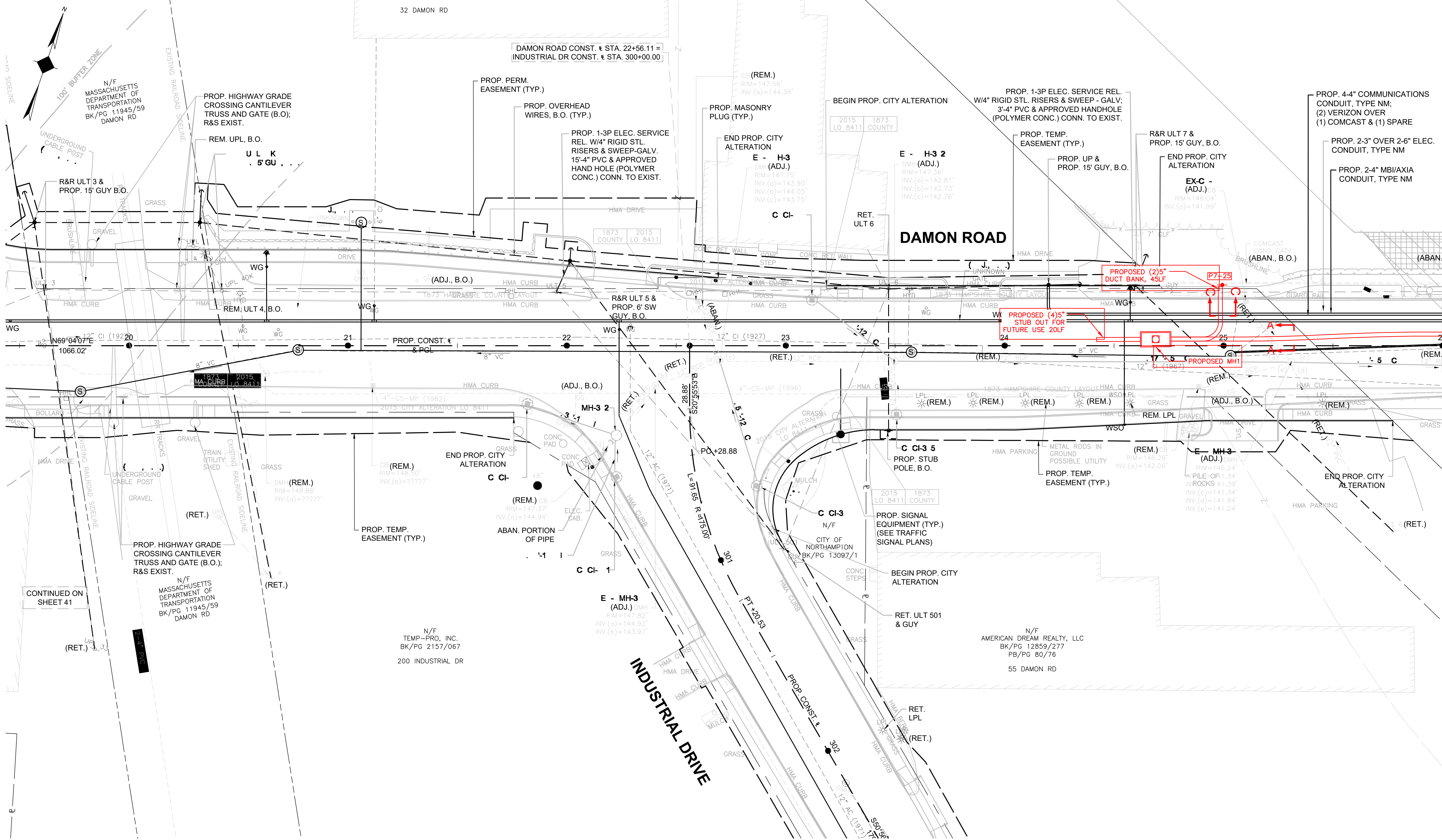
**LEGEND**

	CATCH BASIN CURB INLET
	CATCH BASIN
	DRAIN LINE/MANHOLE
	SEWER LINE/MANHOLE
	COMBINED SEWER/RAIN-MANHOLE
	ELECTRIC LINE/MANHOLE
	ELECTRIC LINE
	LIGHT POLE
	GAS LINE/GATE
	RETIRED GAS LINE
	HYDRANT
	WATER LINE (LOW PRESSURE)/GATE
	WATER LINE (HIGH PRESSURE)/GATE
	ABANDONED WATER LINE
	TELEPHONE LINE/MANHOLE
	TELEPHONE LINE
	CONCRETE CURB
	BITUMINOUS CONCRETE CURB
	VERTICAL GRANITE CURB
	CHAIN LINK FENCE
	WOOD STOCKADE FENCE
	HANDRAIL
	METAL RAILING FENCE
	EDGE OF GRAVEL
	APPROXIMATE STREET LINE
	WORCESTER HIGHWAY BOUND
	STONE BOUND/DRILL HOLE
	DRILL HOLE
	IRON PIPE/PIN
	FOUND
	BUILDING
	PARCEL ADDRESS
	MONUMENT/TRVERSE POINT W/ APPROXIMATE STATE PLANE COORDINATE
	BIT. CONC.
	(MAG SET) N: 2916728.47 E: 566817.66
	BY RECORD
	BOLLARD
	BRICK RETAINING WALL
	CONCRETE BLOCK RETAINING WALL
	CONCRETE RETAINING WALL
	CONCRETE STAIRS
	COBBLESTONE EDGING
	PROPOSED PADMOUNT TRANSFORMER
	EXISTING 2-WAY MANHOLE
	PROPOSED 2-WAY MANHOLE
	EXISTING SWITCHGEAR MANHOLE
	PROPOSED SWITCHGEAR MANHOLE

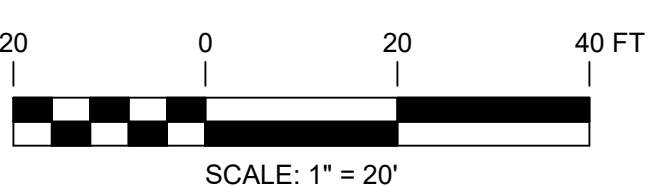
124 Grove St. Franklin, MA 02038		PROJECT No:270728		DL DESIGNED AS DRAWN  CHECKED  APPROVED		<b>nationalgrid</b>  MASSDOT DAMON RD LAYOUT PLAN	
REV	DESCRIPTION	DATE	DES	CHK	APP	REVIEW 1 DATE: 3/24/21 NTS: [ ] SCALE: [ ]	G-1 WR#23303524

PB/PG 39/15  
PB/PG 181/211  
32 DAMON RD

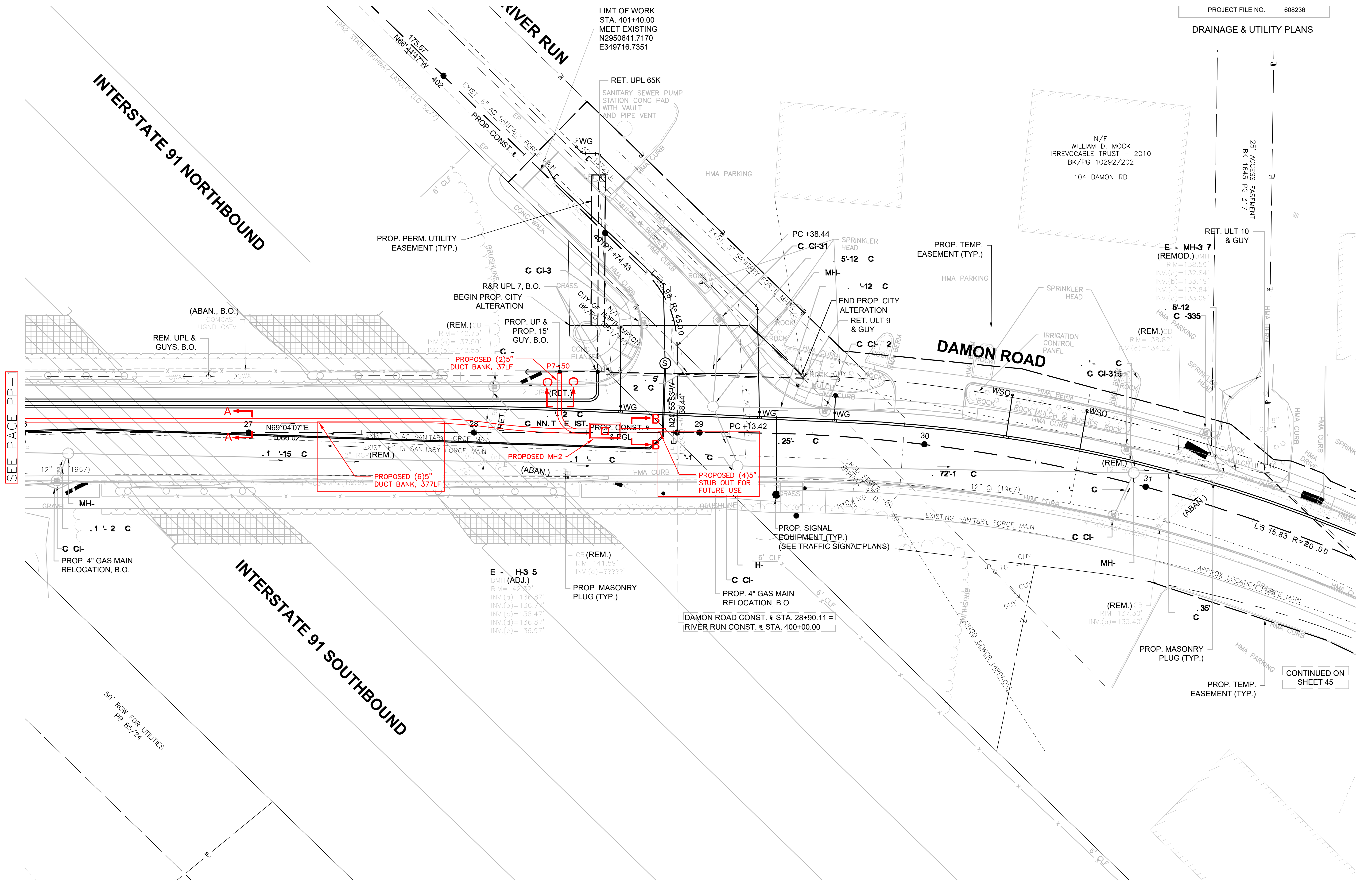
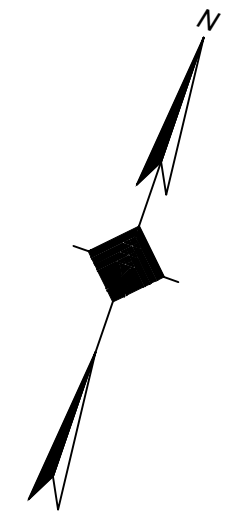
DAMON ROAD CONST. # STA. 22+56.11 =  
INDUSTRIAL DR CONST. # STA. 300+00.00



SEE PAGE PP-2

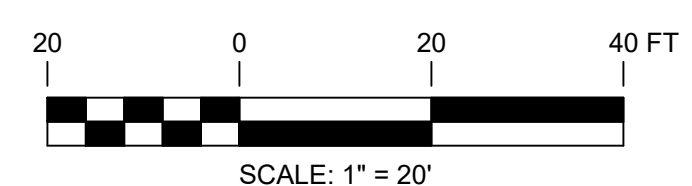


<span style="font-size: small;">124 Grove St. Franklin, MA 02038</span>		<span style="font-size: x-small;">PROJECT NO: 270728</span>																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: x-small;">REV</th> <th style="font-size: x-small;">DESCRIPTION</th> <th style="font-size: x-small;">DATE</th> <th style="font-size: x-small;">DES</th> <th style="font-size: x-small;">CHK</th> <th style="font-size: x-small;">APP</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		REV	DESCRIPTION	DATE	DES	CHK	APP													<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: x-small;">DESIGNED</td> <td style="font-size: x-small;">DRAWN</td> <td style="font-size: x-small;">CHECKED</td> <td style="font-size: x-small;">APPROVED</td> </tr> <tr> <td style="font-size: x-small;">REVIEW 1</td> <td style="font-size: x-small;">REVIEW 2</td> <td> </td> <td> </td> </tr> </table>		DESIGNED	DRAWN	CHECKED	APPROVED	REVIEW 1	REVIEW 2			<p style="font-size: small; margin: 0;">MASSDOT DAMON RD LAYOUT PLAN</p> <p style="font-size: x-small; margin: 0;">PP-1 WR#23303524</p>	
REV	DESCRIPTION	DATE	DES	CHK	APP																										
DESIGNED	DRAWN	CHECKED	APPROVED																												
REVIEW 1	REVIEW 2																														

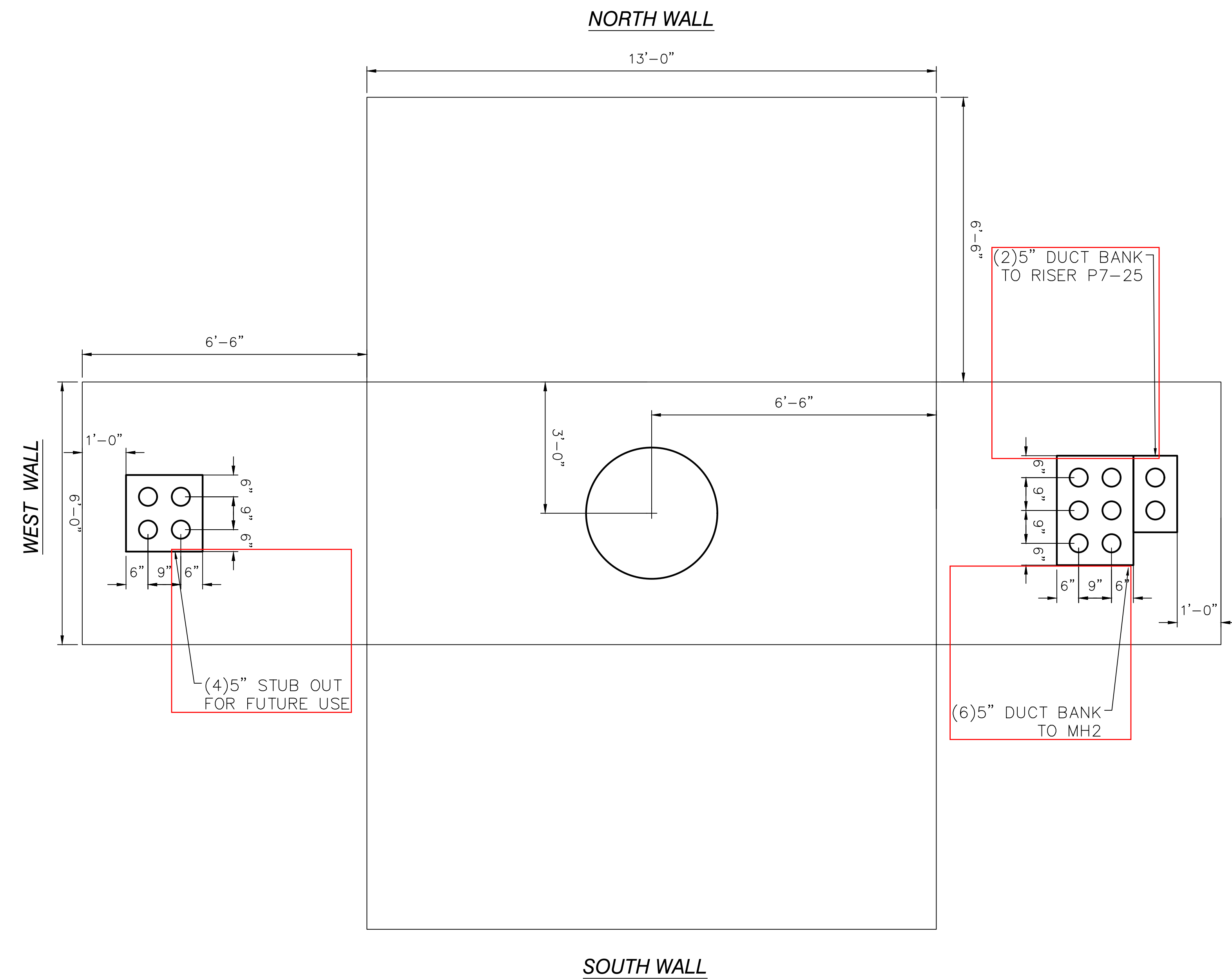


SEE PAGE PP-

CONTINUED ON SHEET 45

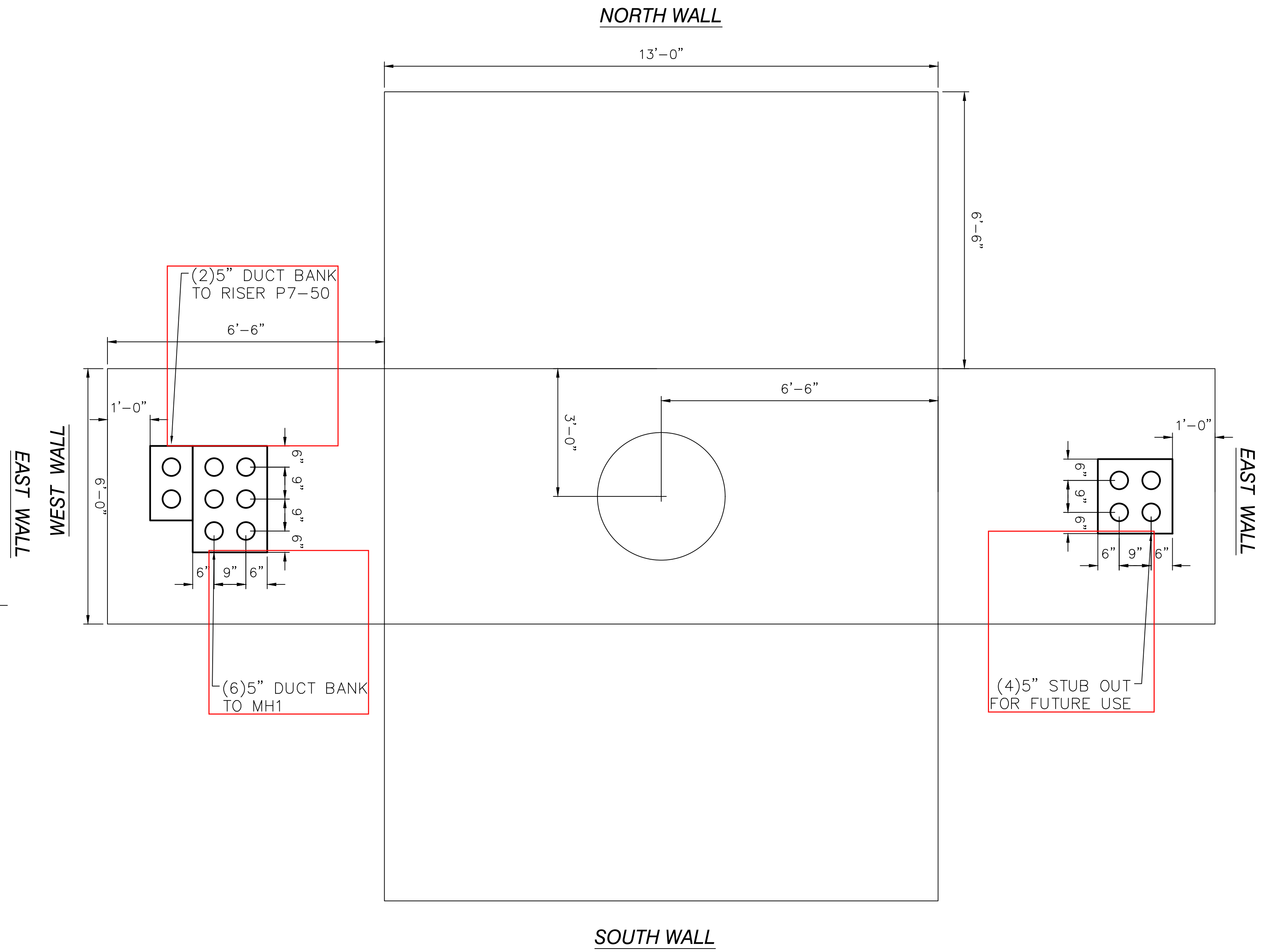


<span style="font-size: small;">124 Grove St. Franklin, MA 02038</span>		PROJECT NO: 270728					
		MASSDOT DAMON RD		LAYOUT PLAN			
				PP-2			
				WR#23303524			
REV	DESCRIPTION	DATE	DES	CHK	APP	3/24/21 DATE AS NOTED SCALE	TRC REV. 0



**MANHOLE NUMBER: MH1**

SIZE: L=13' W=6' H=6'-6"  
 MANHOLE RING SIZE: 36"  
 MANHOLE COVER SIZE: 26"  
 CHIMNEY HEIGHT: 2'-0"

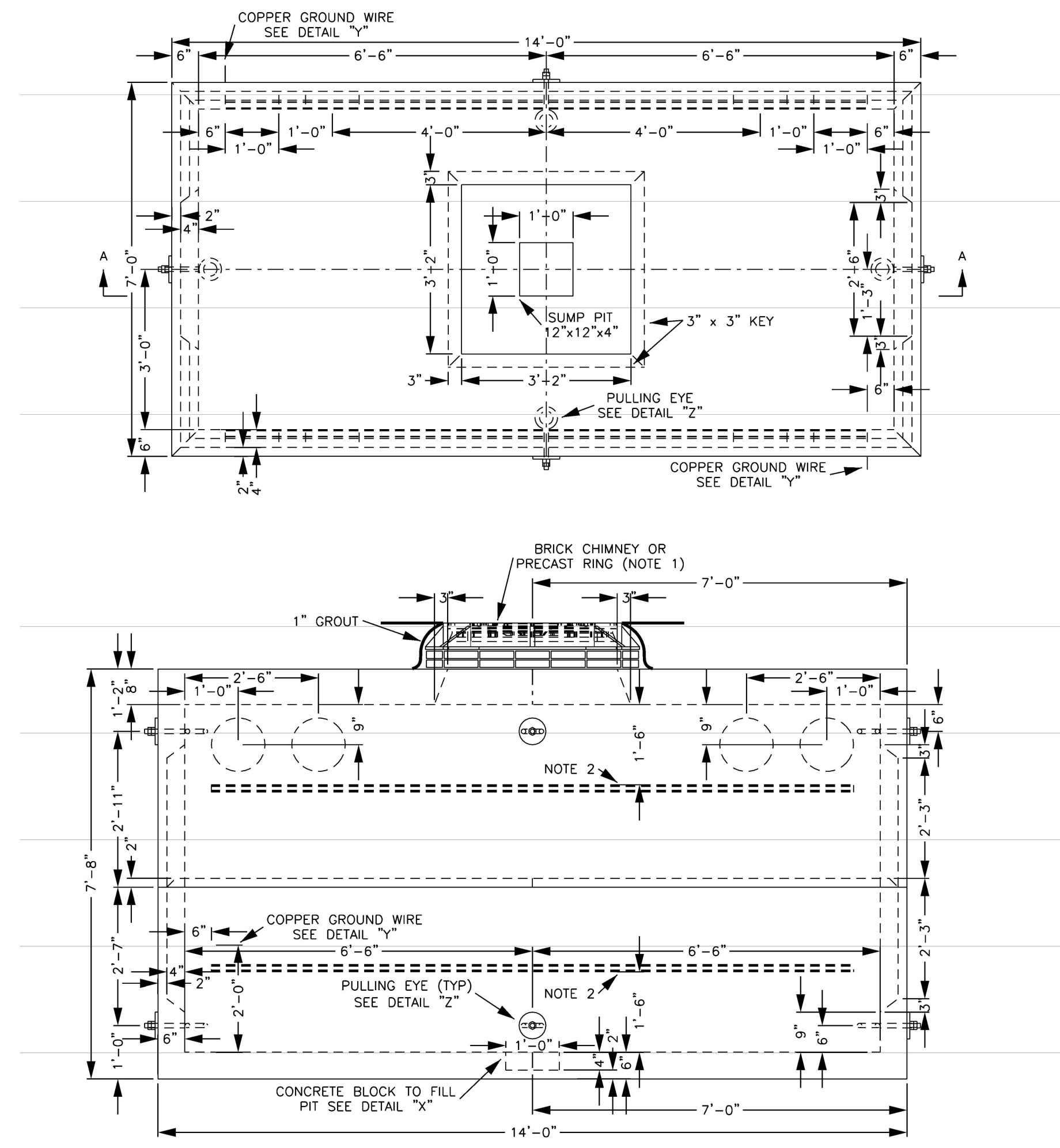
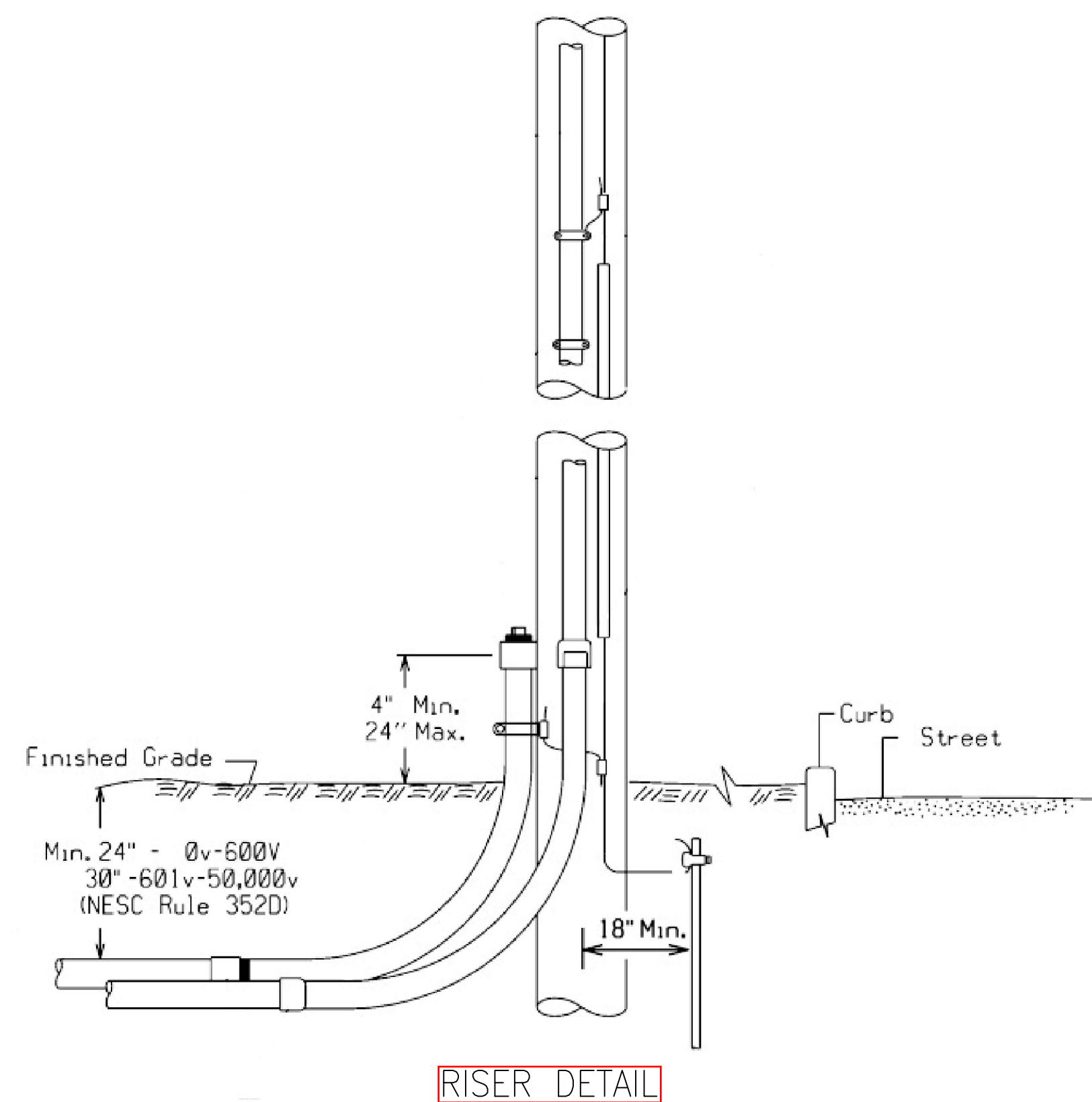
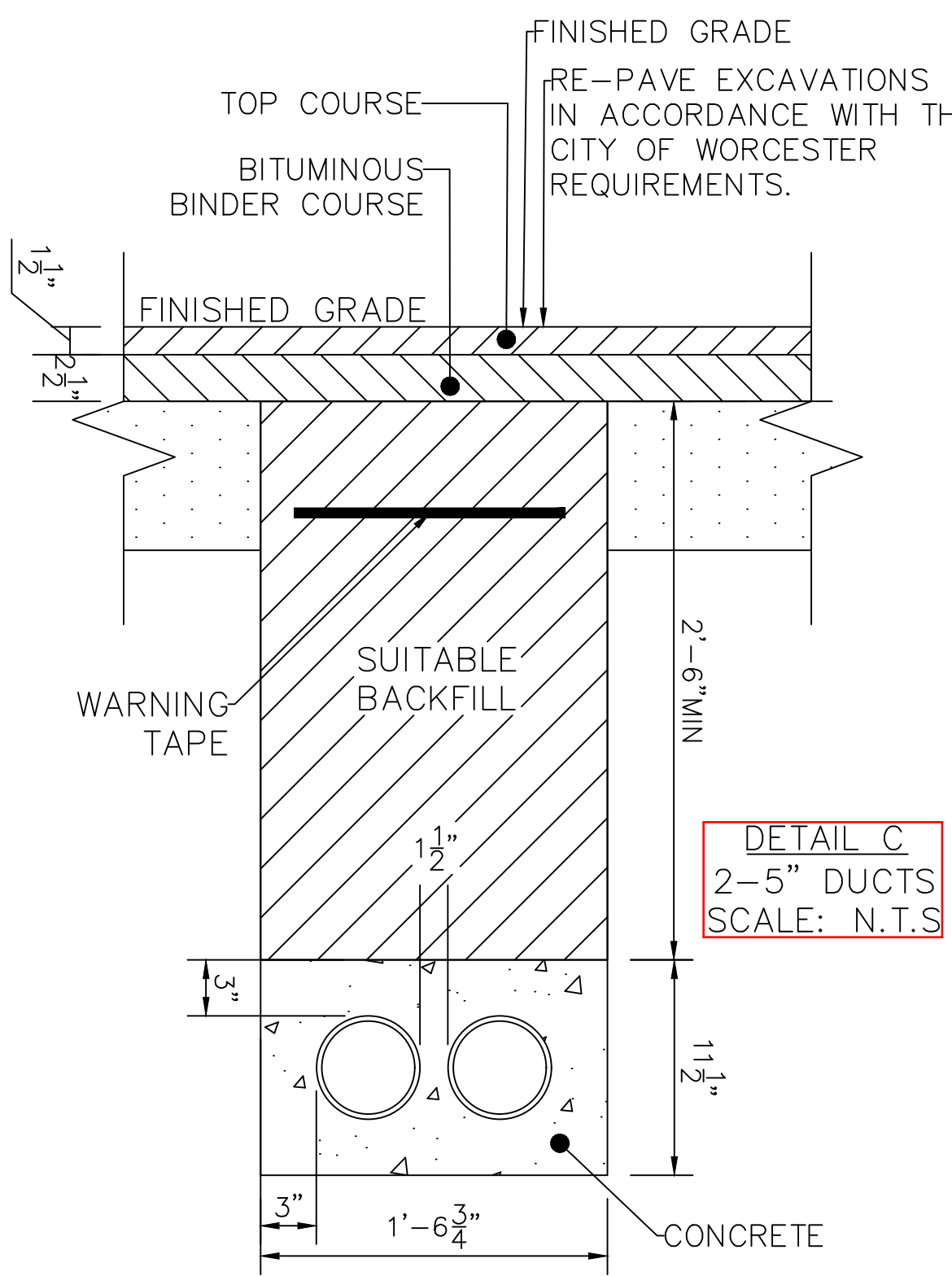
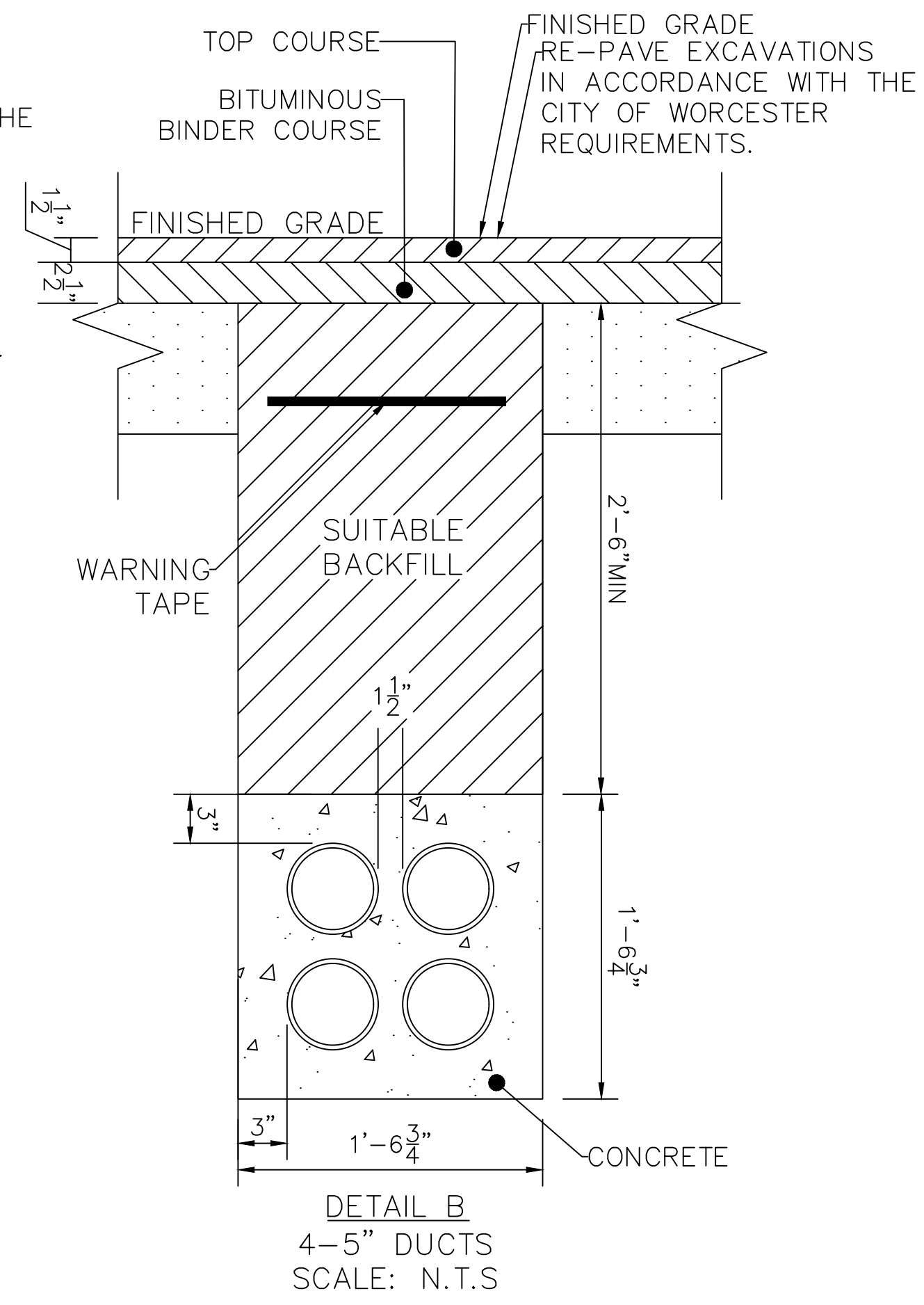
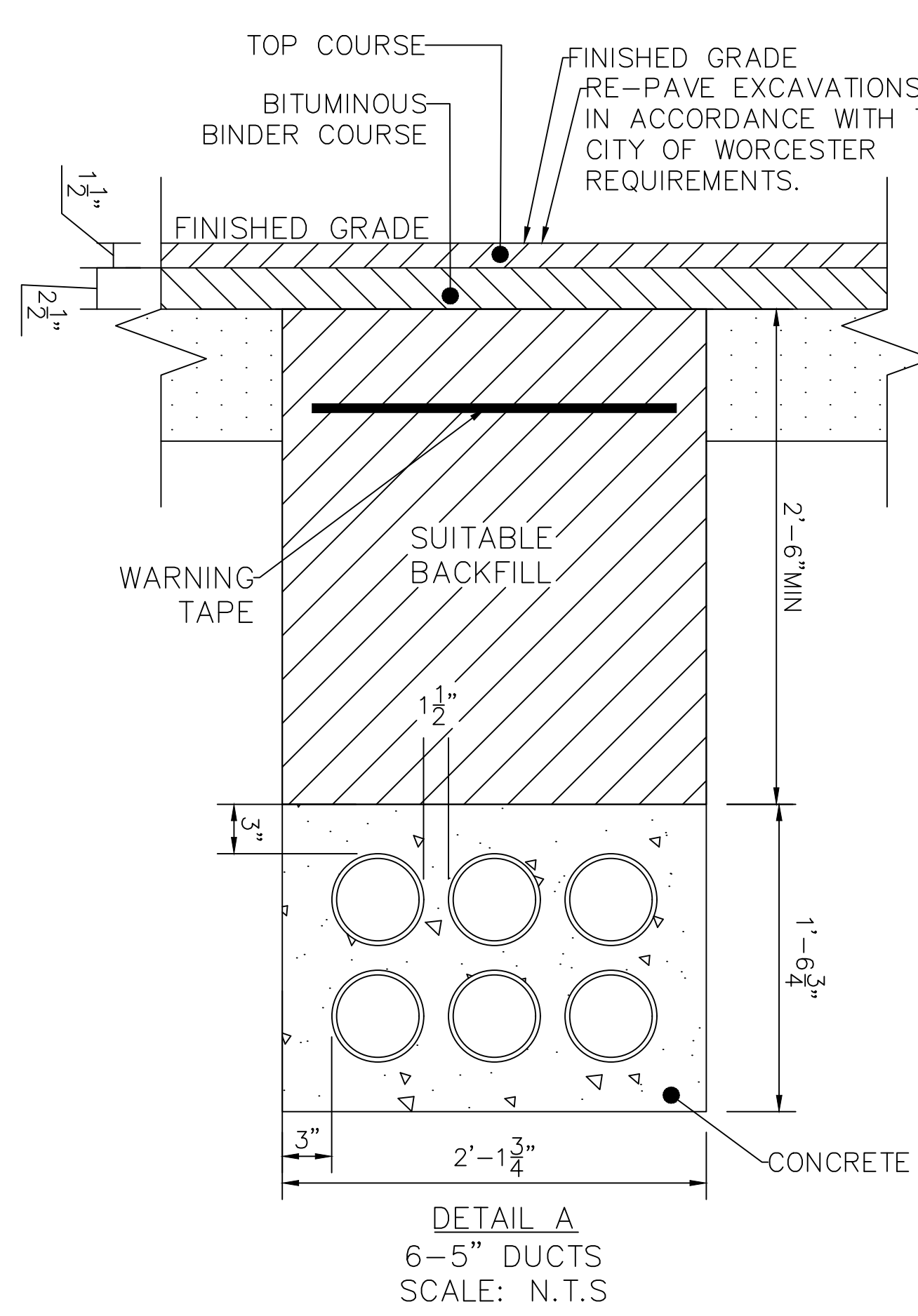


**MANHOLE NUMBER: MH2**

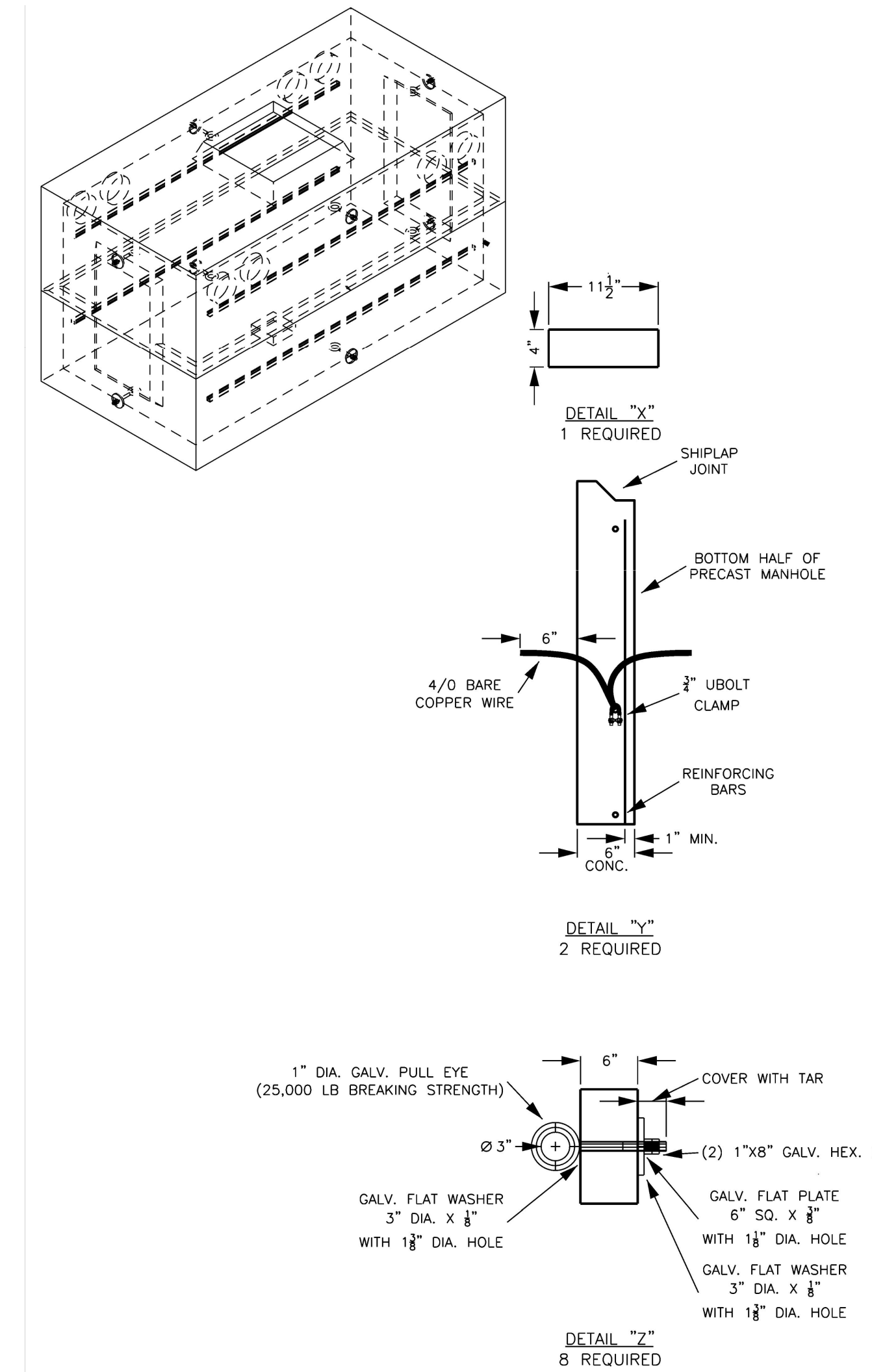
SIZE: L=13' W=6' H=6'-6"  
 MANHOLE RING SIZE: 36"  
 MANHOLE COVER SIZE: 26"  
 CHIMNEY HEIGHT: 2'-0"

		124 Grove St. Franklin, MA 02038		PROJECT NO: 270728			
REV	DESCRIPTION	DATE	DES	CHK	APP		

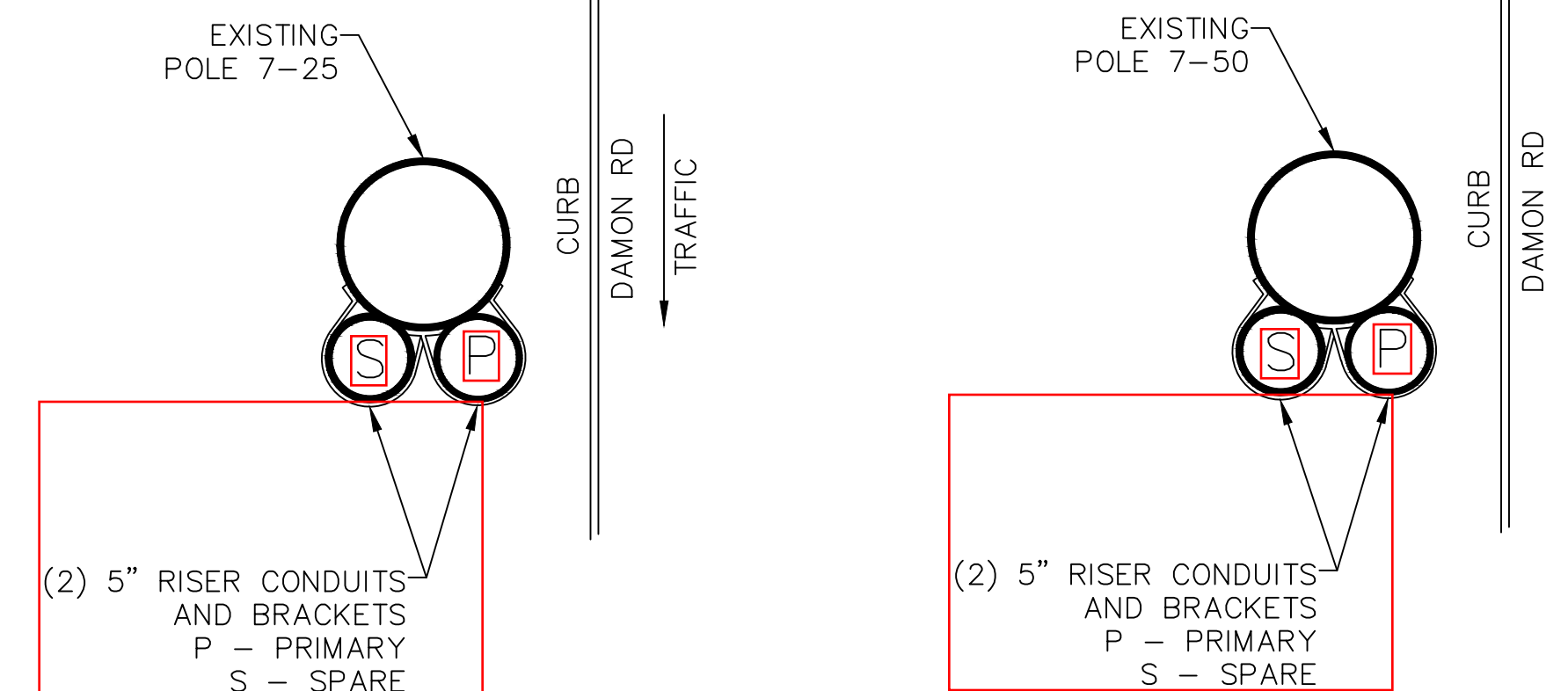
DESIGNED		MASSDOT DAMON RD LAYOUT PLAN
DRAWN		
CHECKED		
APPROVED	DATE: 3/24/21	SCALE: NTS
REVIEW 1		DET-1
REVIEW 2		WR#23303524



NOTE  
1. FOR MANHOLE CHIMNEY OR PRECAST RING SEE MS 3748, 3755 AND 3757. USE WITH UM14F(36" FRAME), UM14R(26"-36" RING) AND UM14C(26" COVER).  
2. INSTALL 1-3/8"x1-3/8" HEAVY DUTY GALVANIZED UNISTRUT AND CABLE POSITIONING BRACKETS. UNISTRUT NEEDS TO BE PROPERLY BONDED TO THE GROUND GRID WITH A TINNED CONNECTOR AND 4/0 CABLE.



TYPICAL 2 WAY MANHOLE DETAIL



124 Grove St. Franklin, MA 02038		PROJECT NO: 270728					
REV	DESCRIPTION	DATE	DES	CHK	APP	MASSDOT DAMON RD LAYOUT PLAN	
DESIGNED						3/24/21 DATE NTS SCALE	
DRAWN							
CHECKED						DET-2	
APPROVED						WR#23303524	
REVIEW 1						REV. 0	
REVIEW 2							

#48 DAMON RD

18D-035-001

OWNER: KERRYMAN PARTNERSHIP

P.O. BOX 60266, FLORENCE MA 01062

PATCH EAST OF LANE PLANT ROAD

18D-057-001

OWNER: CITY OF NORTHAMPTON

210 MAIN ST, NORTHAMPTON MA 01060

#55 DAMON RD

18D-065-001

OWNER: ROBERT S. THOMAS

55 DAMON RD, NORTHAMPTON MA 01060

#137 DAMON RD

18D-005-001

OWNER: EASTHAMPTON MAHADEV LLC

8 KINSBERRY WAY, EASTHAMPTON MA 01027



April 6, 2021

City Council  
Town of Northampton

To Whom It May Concern:

Enclosed please find the revised petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit, please contact:

**Daniel Lopez-Velez 774-235-2603**

If this petition meets with your approval, please return an executed copy to:

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845  
(978)725-1418

Very truly yours,

*Jim Kehrer/lla*

Jim Kehrer  
Name: Distribution Design Supervisor  
Supervisor, Distribution Design

Enclosures

Questions contact – Daniel Lopez-Velez 774-235-2603

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric Conduit Location:

To the City Council of Northampton, Massachusetts

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Damon Rd. - Northampton, Massachusetts.

The following are the streets and highways referred to: **23303524**

Damon Rd. - beginning at a point approximately 213 feet northeast of the centerline of the intersection of Industrial Dr. and Damon Rd. and continuing approximately 377 feet in a northeast direction, National Grid to install MH 1 Damon Rd., install MH 2 Damon Rd., install 45' of 2-5" Conduit from P7-25 Damon Rd to MH 1 Damon Rd., install ~377' of 6-5" Conduit from MH 1 to MH 2 Damon Rd., and install ~37' of 2-5" Conduit from P7-50 Damon Rd to MH 2 Damon Rd.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_  
Engineering Department

Dated: April 6, 2021

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 6th day of April 2021.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Damon Rd. - Northampton, Massachusetts **23303524**

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Damon Rd. - beginning at a point approximately 213 feet northeast of the centerline of the intersection of Industrial Dr. and Damon Rd. and continuing approximately 377 feet in a northeast direction, National Grid to install MH 1 Damon Rd., install MH 2 Damon Rd., install 45' of 2-5" Conduit from P7-25 Damon Rd to MH 1 Damon Rd., install ~377' of 6-5" Conduit from MH 1 to MH 2 Damon Rd., and install ~37' of 2-5" Conduit from P7-50 Damon Rd to MH 2 Damon Rd.

I hereby certify that the foregoing order was adopted at a meeting of the .....  
.....  
....., held on the ..... day of ....., 20 .....

....., ..... 20 .....

Received and entered in the records of location orders of the City/Town of  
Book ..... Page .....

Attest:  
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M  
at ....., a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the  
underground electric conduits described in the order herewith recorded, and that I mailed at least  
seven days before said hearing a written notice of the time and place of said hearing to each of the  
owners of real estate (as determined by the last preceding assessment for taxation) along the ways  
or parts of ways upon which the Company is permitted to construct the underground electric  
conduits under said order. And that thereupon said order was duly adopted.

.....  
.....  
.....

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 6th day of April 2021.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Damon Rd. - Northampton, Massachusetts **23303524**

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Damon Rd. - beginning at a point approximately 213 feet northeast of the centerline of the intersection of Industrial Dr. and Damon Rd. and continuing approximately 377 feet in a northeast direction, National Grid to install MH 1 Damon Rd., install MH 2 Damon Rd., install 45' of 2-5" Conduit from P7-25 Damon Rd to MH 1 Damon Rd., install ~377' of 6-5" Conduit from MH 1 to MH 2 Damon Rd., and install ~37' of 2-5" Conduit from P7-50 Damon Rd to MH 2 Damon Rd.

I hereby certify that the foregoing order was adopted at a meeting of the .....  
.....  
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....., ..... 20 .....

Received and entered in the records of location orders of the City/Town of  
Book ..... Page .....

Attest:  
.....

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at ....., a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the  
underground electric conduits described in the order herewith recorded, and that I mailed at least  
seven days before said hearing a written notice of the time and place of said hearing to each of the  
owners of real estate (as determined by the last preceding assessment for taxation) along the ways  
or parts of ways upon which the Company is permitted to construct the underground electric  
conduits under said order. And that thereupon said order was duly adopted.

.....  
.....  
.....



**CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060**

**413-587-1570  
Fax 413-587-1576**

**Donna LaScaleia  
Director**

## Memorandum

---

To: Donna LaScaleia, Director of Public Works *Approved M 3-23-21*  
From: Felix Harvey, Staff Civil Engineer  
Date: March 23, 2021  
Re: Petition for Joint or Identical Pole Locations No. 30293688

---

National Grid is proposing to install one (1) Jointly Owned Pole on Warner Street approximately 163 feet from the centerline of the intersection with Federal Street, as staked.

The proposed pole location is acceptable, and does not conflict with any public utilities or public shade trees.

A valid Trench Permit issued by the Department of Public Works is required prior to pole installation.



March 23, 2021

The City Council of Northampton, Massachusetts

To Whom It May Concern:

Enclosed please find a revised petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

[Lisa Jasinski 413-582-7467](tel:413-582-7467)

Please notify National Grid's [Lisa Ayres](#) of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

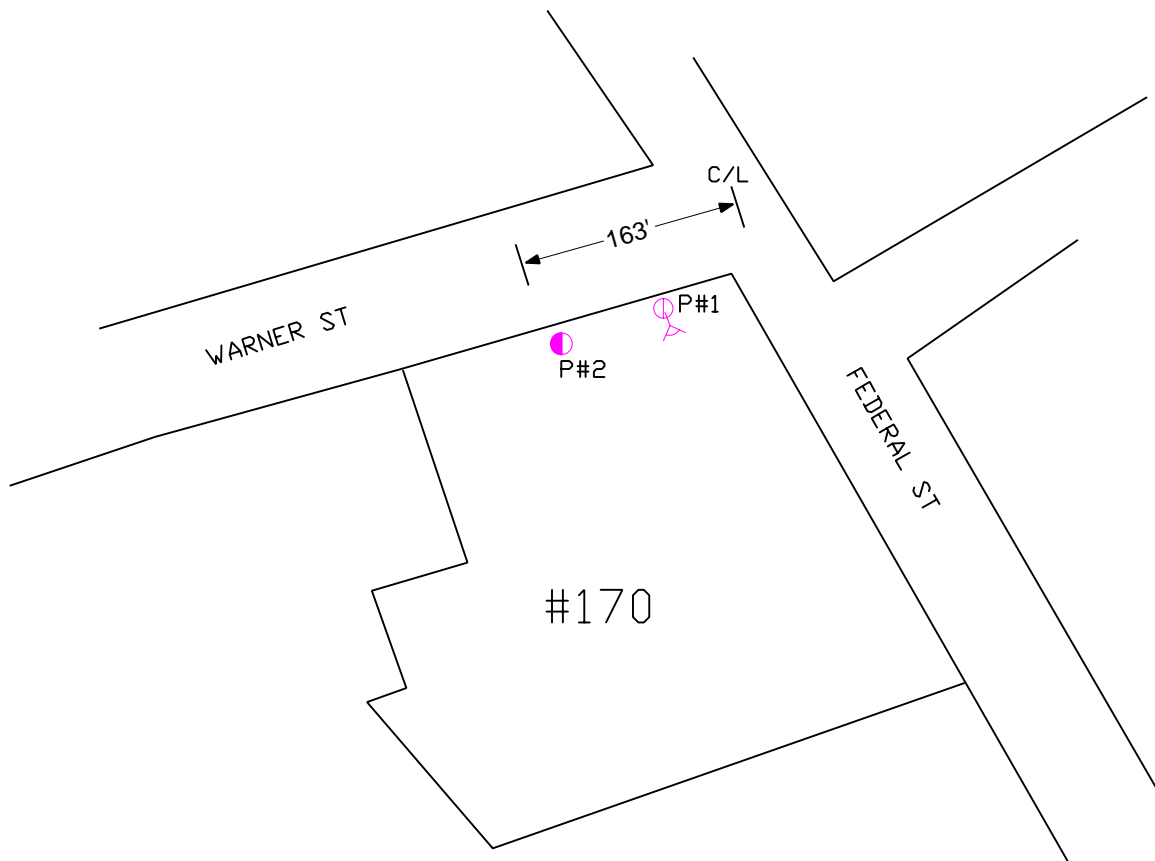
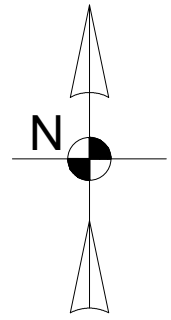
National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845  
978-725-1418


Very truly yours,

A handwritten signature in blue ink that reads "Jim Kehrer/lla".

Jim Kehrer  
Supervisor, Distribution Design

Enclosures



POLE PETITION	
● Proposed NGRID Pole Locations	Date: JANUARD 7, 2021
○ Existing NGRID Pole Locations	Plan Number: WR #30293688
● Proposed J.O. Pole Locations	To Accompany Petition Dated:
⊕ Existing J.O. Pole Locations	To The: CITY Of NORTHAMPTON
⊕ Existing Telephone Co. Pole Locations	For Proposed: JO Pole: 1 Location: WARNER ST
⊙ Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant:
⊗ Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	

Questions contact - Lisa Jasinski 413-222-4838  
**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Warner St. - Northampton, Massachusetts.

**30293688**

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a

NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_

Engineering Department

VERIZON NEW ENGLAND, INC.

BY \_\_\_\_\_

Manager / Right of Way

Dated: March 23, 2021

Questions contact – Lisa Jasinski 413-222-4838

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 23rd day of March 2021.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Warner St. - Northampton, Massachusetts.

**30293688** Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the  
Of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_ .

Received and entered in the records of location orders of the City/Town of  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
At \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,  
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,  
and that we mailed at least seven days before said hearing a written notice of the time and place of  
said hearing to each of the owners of real estate (as determined by the last preceding assessment  
for taxation) along the ways or parts of ways upon which the Company is permitted to erect  
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of 20\_\_\_\_ and recorded with the records of location orders  
of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under the  
provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:  
City/Town Clerk

Questions contact – Lisa Jasinski 413-222-4838

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 23rd day of March 2021.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Warner St. - Northampton, Massachusetts.

**30293688** Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the  
Of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_ .

Received and entered in the records of location orders of the City/Town of  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
At \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,  
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,  
and that we mailed at least seven days before said hearing a written notice of the time and place of  
said hearing to each of the owners of real estate (as determined by the last preceding assessment  
for taxation) along the ways or parts of ways upon which the Company is permitted to erect  
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of 20\_\_\_\_ and recorded with the records of location orders  
of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under the  
provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:  
City/Town Clerk

Questions contact – Lisa Jasinski 413-222-4838

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 23rd day of March 2021.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Warner St. - Northampton, Massachusetts.

**30293688** Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the  
Of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_ .

Received and entered in the records of location orders of the City/Town of  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
At \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,  
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,  
and that we mailed at least seven days before said hearing a written notice of the time and place of  
said hearing to each of the owners of real estate (as determined by the last preceding assessment  
for taxation) along the ways or parts of ways upon which the Company is permitted to erect  
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
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.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of 20\_\_\_\_ and recorded with the records of location orders  
of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under the  
provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:  
City/Town Clerk



## City of Northampton

MASSACHUSETTS

*In the City Council, April 1, 2021*

Upon the Recommendation of:      Councilor Karen Foster  
                                                 Councilor Rachel Maiore  
                                                 Councilor Alex Jarrett

### **R-21.231**

#### **A RESOLUTION DECLARING A CLIMATE EMERGENCY**

WHEREAS, in a world facing the extreme challenges of rapid climate change, Northampton residents understand the importance of protecting the Earth and its inhabitants; can envision a better, sustainable future; and can create and execute bold plans for a prosperous economy and a thriving community; and

WHEREAS, progress toward this future is underway in Massachusetts, which is among national leaders on climate initiatives with over 100,000 jobs in the state's clean energy sector<sup>1</sup> and named a top energy efficient state for the past decade by the American Council for an Energy-Efficient Economy; and

WHEREAS, Northampton has an engaged City government and has undertaken a number of important steps on climate and the environment, (such as the Sustainable Northampton Comprehensive Plan and the Climate Resilience and Regeneration Plan), such that the City is well placed to implement the critical transition away from fossil fuels and to advance a robust, carbon-free, equitable economy and the improved health and quality of life that will result; and

WHEREAS, on April 22, 2016, world leaders from 175 countries recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep warming "well below 2°C above pre-industrial levels" and to "pursue efforts to limit the temperature increase to 1.5°C" and Mayor David J. Narkewicz committed to the Paris Accord on behalf of Northampton; and

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<sup>1</sup>O'Brien, Kelly J. "Clean energy jobs top 100,000 for first time in Mass., according to new report," *Boston Business Journal*. Dec. 15, 2016. <https://www.bizjournals.com/boston/news/2016/12/15/clean-energy-jobs-top-100-000-for-first-time-in.html>

WHEREAS, marginalized populations in the Commonwealth of Massachusetts and worldwide, including people of color, immigrants, indigenous communities, low-income individuals, people with disabilities, and the unhoused are already disproportionately affected by climate change, and will continue to bear an excessive burden as temperatures increase, oceans rise, and natural disasters worsen; and

WHEREAS, nearly 400 cities, districts and counties across the world collectively representing over 34 million people have recently declared or officially acknowledged the existence of a global Climate Emergency, including over 20 Massachusetts cities and towns such as Boston, Lexington, Acton, and 11 towns on Cape Cod; and

WHEREAS, declaring the climate crisis as an emergency is a crucial first step for aligning residents around the urgency of the global climate breakdown; and

WHEREAS, declaring that the climate crisis is an emergency demonstrates that our government agencies acknowledge that addressing climate change will require an emergency response at emergency speed; and

WHEREAS, the crisis caused by climate change also presents a major opportunity to invest in healthy energy, transportation, land-use, and agriculture systems that will deliver both immediate and sustained benefits to all and reduce future risks from climate change;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton affirms that human activity caused the climate crisis and that fossil fuels are the primary cause;

BE IT FURTHER RESOLVED that the City Council of Northampton hereby declares that a Climate Emergency threatens our city, state, and nation, as well as humanity broadly, and that a mobilization to meet this challenge is both a moral imperative and an unprecedented opportunity to stabilize the climate, remedy environmental harms, create clean-energy jobs, and improve human lives.

BE IT FURTHER RESOLVED that the members of the Northampton City Council call on City government and staff and all Northampton civic groups, businesses, and residents to commit to a climate mobilization effort to bring net City-wide carbon emissions to zero no later than the year 2050, though we advocate for increased state and federal assistance so that we can aim for carbon neutrality by 2030;

BE IT FURTHER RESOLVED that the City of Northampton's climate mobilization should also: (1) accelerate adaptation and resilience strategies in preparation for intensifying local and global climate impacts; (2) continue to protect trees, forests, and other open spaces because of their ability to draw carbon out of the atmosphere and store it; (3) protect the habitats and corridors of wildlife that are vulnerable to the impacts of climate change; and (4) ensure that the costs of such mobilization efforts do not unfairly burden those who are economically or socially disadvantaged and that the benefits of a realized, sustainable future accrue to all.

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.



## CITY OF NORTHAMPTON

MASSACUSETTS

*In the City Council, April 1, 2021*

Upon the Recommendation of:      Councilor William Dwight

### **21.233 A Resolution to Review and Revise the Rules and Committees of the City Council**

*Whereas*, the City Council of Northampton, on a regular basis and as the need arises, must review and revise the rules that prescribe the processes by which the body shall deliberate; and

*Whereas*, the City Council must also periodically reconsider and evaluate the Committees of the Council to determine how they may best serve the Council; and

*Whereas*, the COVID 19 pandemic required significant changes in the way the Council convenes and conducts its business; and

*Whereas*, the Open Meeting Law of the Commonwealth requirements continue to evolve in meaningful ways as the Council conducts its business remotely via a changing technology; and

*Whereas*, the City Council of Northampton abides by and upholds the principles and the spirit of open government; and

*Whereas*, some Council rules have been rendered outdated and void by recent decisions by the Attorney General and the Governor in order to allow safe participation and continuity in government;

*Now therefore, be it resolved that:* the City Council requests that the Council President appoint a select committee dedicated to the review of the Council Rules and Council Committees to assemble at a time determined by the President; and

*Be it further resolved that,* the Committee shall deliver to the Council, at a time determined by the President, recommendations to be considered; and

*Be it further resolved that,* the President shall determine the members of the Committee which may include individuals who are not City Councilors.

## MEMBERS

Councilor John Thorpe, Chair  
Megan Paik, Citizen, Vice-Chair  
Councilor Jim Nash  
Councilor Marianne LaBarge  
Jeff Napolitano, Citizen



## Report of the 2020 Special Committee for Review of Ordinances

### Summary of Recommendations

The Special Committee for Review of Ordinances (“the Committee”) submits this Report of its 2020 review of the ordinances of the City of Northampton in accordance with Northampton Code of Ordinances, § 1-15.1. That section was adopted pursuant to the Northampton Special Act Charter (“the Charter”), § 10-6. Section 1-15.1 requires review of ordinances every five years in years ending in a 5 or in a 0. While the ordinance requires a report to be filed by December 31<sup>st</sup> of such years, the Northampton City Council voted on December 3, 2020 to extend that date to March 31, 2021 on account of the Committee’s delayed formation due to the novel coronavirus pandemic of 2020. The Committee was appointed on September 3, 2020, and it was comprised of three members of the City Council appointed by the Council President and two voters of the City appointed by the Mayor. The Committee met under the supervision of the City Solicitor. It held 15 virtual meetings by Zoom on September 30, 2020, October 19, 2020, November 2, 2020, November 17, 2020, November 30, 2020, December 7, 2020, December 15, 2020, January 4, 2021, January 11, 2021, February 1, 2021, February 22, 2021, March 1, 2021, March 15, 2021, March 23, 2021, and March 29, 2021.

An “ordinance,” as that term is used in the Charter and in Section 1-15.1, has a very specific meaning. It is a legislative act that has the force of law and binds the City and all persons within the jurisdictional limits of the City. The authority of the City Council to pass an ordinance is found either in State law or in the Charter. Ordinances must be distinguished from a Resolution of the Council which is a current statement of the Council’s position on a certain issue that has no force of law.

On September 3, 2020, the City Council adopted **20.107 A Resolution in Support of Actions to Combat the Public Health Crisis of Systemic Racism**, which stated in part:

We have an obligation to advance racial equity by undoing the inequities found in the law, and to proactively pass ordinances and make budget decisions that address inequity. During the Periodic Review of Ordinances which occurs every 5 years as per the City Charter Section 10-5, and at other times when it comes to the attention of the Council, we will act to update ordinances that have been shown to have a disproportionate impact on communities of color and adversely affect marginalized populations. We will also consider these impacts during our annual budget process and as financial orders are brought to the Council.

The Committee accepted this Resolution as the guiding principle of its focus on the City’s ordinances. Marginalized populations of Northampton, in our deliberations and reporting, include but are not limited to residents who are people of color, low-income, housing-insecure, and/or disabled who experience systemic inequities of residential segregation, intergenerational wealth inequality, and access to public services.

Consequently, the Committee prioritized select categories of ordinances referenced in reports produced by the National League of Cities, The National Low-Income Housing Coalition, National Housing Law Project, and others:

- zoning;
- rental housing;
- parking;
- nuisance laws; and
- land ownership.

The Committee solicited input on existing ordinances and any proposed new ordinances from all City departments, the City Councilors, and from the public. There was an opportunity for public comment at all meetings. The approved minutes of all meetings as well as all documents that were considered by the Committee are available in the city clerk's office and on the city's website.

The Committee received testimony and documents from the Office of Planning and Sustainability, the Northampton Housing Partnership, and from members of the public regarding existing and proposed ordinances that would promote the interests of historically marginalized communities, some of which the Committee voted to recommend that the City adopt and some that the Committee did not recommend. Those proposed ordinances and amendments and the Committee's recommendations are attached as Exhibit A.

The Committee also solicited from all City departments and from the public more minor recommendations of a "housekeeping" nature. Those recommendations are attached as Exhibit B.

In addition to the proposed ordinance revisions and additions submitted with this Report, the Committee voted to urge the City to study and develop amendments to zoning and other ordinances as set forth in Exhibit C. The Committee also encourages the City to address barriers to fair housing<sup>1</sup> in the City and to explore ways to incentivize the creation of both affordable market-rate and subsidized affordable housing.

At the same time, as explained by the City Solicitor and as further delineated in the Exhibits that follow, the subject matter of certain proposed ordinances that impact disadvantaged communities were deemed outside the legislative authority of the City Council based either on state law or on the Charter. To the extent that such matters as hiring and employment and purchasing and contracting are within the exclusive jurisdiction of the executive branch of government and not within the Committee's charge, the Committee calls upon the current Mayor and future Mayors to study and implement departmental policies in full partnership with their advisory boards and committees. Furthermore, the Committee calls upon the executive and legislative branches to examine the disparate impacts on people of color and other adversely affected marginalized communities in all their practices and procedures.

Finally, the ordinance review process contemplated in the Charter and in Section 1-15.1 is, by its terms, limited in time and its scope. Reversing the ongoing marginalization of certain

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<sup>1</sup> By "fair housing," the Committee is referring both to the interests protected under the Fair Housing Act, which include protection from discrimination when renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities and fairness in the more colloquial sense, including enacting ordinances relative to housing set forth in Exhibit A.

communities is a task that exceeds the bounds of this process. The Committee calls upon the City Council to study these issues through its committee process and to alleviate the inequities that are so entrenched in our society with ordinances that fall within its jurisdiction.

The Committee looks forward to addressing its work and the recommendations contained in this Report before the City Council at such time as the Council may designate.

Respectfully submitted,

Special Committee for Review of Ordinances

By \_\_\_\_\_  
City Councilor John Thorpe, Chair

Dated: March 31, 2021

## **Report of the 2020 Special Committee for Review of Ordinances**

### **Exhibit A**

#### **Ordinances Impacting Historically Marginalized Communities Recommended for Adoption**

1. Housing Stability Notification Ordinance.

On November 17, 2020, Keith Benoit, CDGB Planner in the Office of Planning and Sustainability, and Carmen Junno, a Member of the Northampton Housing Partnership, appeared before the Committee. They presented testimony regarding a proposed new ordinance that would require landlords of rental units or lenders foreclosing on a house to provide a list of financial and legal resources when serving a Notice to Quit terminating a tenancy or when serving foreclosure documents.<sup>1</sup> Such notification may include documents such as Residential Assistance for Families in Transition (RAFT) and Emergency Rental and Mortgage Assistance (ERMA). Similar ordinances have been enacted in Cambridge and Somerville. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such a Housing Stability Notification Ordinance.

2. An Ordinance Relative to Affordable Housing.

On November 2, 2020, Wayne Feiden, Director of Department of Planning and Sustainability appeared before the Committee. He testified regarding a proposed amendment to the Zoning Ordinance to create a local Affordable Housing Ordinance that would simplify the state comprehensive permit process, known as “40B.” At that time, the proposed ordinance was in its conceptual stage. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such an ordinance to promote housing affordability in the City.

3. Two-Family By Right in all Residential Districts.

On November 2, 2020, Director Feiden testified regarding a proposed amendment to the Zoning Ordinance to allow two-family residences by right in all residential zoning districts, including two detached single-family structures. At that time, the proposed ordinance had been introduced to the City Council and it was being reviewed by Council committees. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt that zoning ordinance amendment to promote housing affordability in the City.

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<sup>1</sup> The Committee is cognizant of both the time it takes to move new ordinances through committees and the prospect of the federal and state eviction and foreclosure moratoria ending in the near future. The Committee recognizes the important work that the Northampton Housing Partnership and the Office of Planning and Sustainability have performed in compiling the resources for the proposed notification ordinance, and it urges that those resources be kept current, and that the City implement administratively the notifications that were proposed to be required of landlords and mortgagees by the recommended ordinance.

4. First Floor Residential Use in Downtown and Florence Center.

On November 2, 2020, Director Feiden testified regarding a proposed amendment to the Zoning Ordinance to allow residences on first floors in in Downtown Northampton (outside of the Central Business District) and in Florence Center (outside the Chestnut/Main/Maple business district). At that time, the proposed ordinance was in the drafting stage. Allowing residential uses on the first floor of commercial buildings outside core downtown areas would allow more people to live within walking distance of commercial centers, allow property owners more options, and create housing opportunities at all levels of the market. At that time, the proposed ordinance was in its conceptual stage. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such an ordinance to promote housing affordability in the City.

**Ordinances Impacting Historically Marginalized Communities  
Not Recommended for Adoption**

1. Enforcement of “Ban the Box” Law.

On November 17, 2020, Tay Porco addressed the Committee during public comment urging the City to enforce the so-called Ban the Box law, which prohibits employers from inquiring into certain aspects of an employment applicant’s criminal history. The Ban the Box law is included in a statute that prohibits discrimination in employment, and it is enforceable by the Massachusetts Commission Against Discrimination, not by the City. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

2. Ordinance Legalizing Temporary Structures and to Repeal Ordinances Prohibiting Camping on Public Property.

On November 17, 2020, Tay Porco addressed the Committee during public comment and presented a demand that the City pass an ordinance legalizing temporary structures and repealing ordinances prohibiting camping on public property. On December 15, 2020, Councilor Nash reported that his review of the ordinances did not reveal any that prohibited camping on public land other than conservation land. On March 1, 2021, the Committee unanimously voted not to recommend any such ordinances. At the same time, the Committee voted to inform the City that it would oppose any ordinance that would impede those who choose to live outdoors.

3. Fair Chance Ordinance.

In a November 18, 2020 email, Tay Porco urged the Committee to recommend an ordinance that would prohibit landlords from accessing and using the criminal history when screening a proposed tenant. While the Committee believed that such an ordinance would mitigate discriminatory practices in the housing market, City Solicitor Seewald

advised the Committee that the Criminal Offender Record Information (CORI) statute, M.G. L. c. 6, § 167, et. seq., is a comprehensive state law that creates uniform access to criminal history information statewide. The CORI statute was amended a short time ago to specifically allow landlords to access such information and, therefore, the City cannot legislate in this area. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

4. Ordinance Banning Sale of Property Gifted to City.

In the November 18, 2020 email, Tay Porco also proposed to the Committee an ordinance to ban the sale to private parties of property gifted to the City, and instead to use such property for affordable housing. Solicitor Seewald informed the Committee that the properties they cited in the email were not gifted to the city and that the city properties sold during his years as City Solicitor were sold for some form of public benefit or to meet a community need. City buildings for sale were municipal buildings not set up to comply with sanitary code and other requirements for use as housing. On March 1, 2021, the Committee voted unanimously not to recommend such an ordinance.

5. Ordinance Incentivizing Against Long-Term Vacancies in Private Properties.

In the November 18, 2020 email, Tay Porco also proposed to penalize and incentivize against vacancies in private properties. Tay cited the fact that properties remain vacant for long periods of time while unhoused individuals live on the street. Without more specific proposals for limiting the rights of private property owners or involuntary acquisition of such properties, Solicitor Seewald could not provide an opinion on the legality of such an ordinance. On March 1, 2021, the Committee voted unanimously not to recommend such an ordinance.

6. Repeal of Anti-Panhandling Ordinances.

On November 30, 2020, Razi Beresin-Scher, citing c. 245 of the Code of Ordinances, addressed the Committee during public comment and urged action to stop criminalizing and harassing unhoused people asking for money or panhandling on the street without a permit. On December 15, 2020, Solicitor Seewald informed the Committee that c. 245 dealt with commercial solicitation, not panhandling, that the Supreme Judicial Court had that day struck down the state anti-panhandling statute as a violation of the First Amendment, and that the City has no anti-panhandling ordinances. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

7. FIT Test and Capping of Size of New Single-Family Residences.

In a February 7, 2021 email, Jackie Ballance attached a document entitled “Equity in Housing” in which she urged the Committee to recommend use of a “‘FIT’ review for Equity, Environmental Sustainability, Appearance and Economy for every new residential building permit application.” That proposal would require a board to review

applications for fitness, including consideration of an applicant’s track record in creating fit housing. In a February 21, 2021 email, Ms. Ballance withdrew the fitness proposal and advanced a proposal to cap the size of new single-family residences at 1,100 square feet, with any larger proposed single-family residences required to “ask for an exception and expect a fair hearing.” The Committee thanks and commends Ms. Ballance for her thoughtful proposals and her commitment to the important issue of fairness and equity in housing in our City. However, Solicitor Seewald informed the Committee that state law prohibits zoning that regulates the interior size of a single-family residence. For that reason, on March 23, 2021, the Committee voted not to recommend Ms. Ballance’s proposals.

## EXHIBIT B - "HOUSEKEEPING" CHANGES

GENERAL AND ZONING ORDINANCE CLEAN-UP - OFFICE OF PLANNING AND SUSTAINABILITY REQUESTED CHANGES						
#	Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
1	Ch. 337 Wetlands Protection	§337-2 Jurisdiction. G. Vernal Pool	<a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a>	Nonresidential uses only in the Business Park District	Remove	BP Zoning no longer exists
2	Ch. 337 Wetlands Protection	§337-2 Jurisdiction. G. Vernal Pool Resource Area	<a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a>	Central Business, General Business, Neighborhood Business, Highway Business, General Industrial, Special Industrial, Planned Village, Medical, Urban Residential-B and Urban Residential-C and municipal landfill properties	ADD Entranceway Business, Office Industrial	Reflect addition of newer zoning districts
3	Ch. 337 Wetlands Protection	§337-2 Jurisdiction. G. Vernal Pool Resource Area	<a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a>	All areas in the Water Supply Protection overlay which were zoned residential as of January 1, 2006	Replace 'Overlay' with 'Zone'	Reflect shift in zoning from an overlay to an underlying zone
4	Ch. 337 Wetlands Protection	§337-2 Jurisdiction. G. Vernal Pool Resource Area	<a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a>	All other areas not shown above (residential uses in the Rural Residential, Suburban Residential, Special Conservancy, Urban Residential A)	ADD Farms Forests and Rivers	Reflect addition of newer zoning districts
5	Ch. 337 Wetlands Protection	§337-10 Performance standards. B.	<a href="https://www.ecode360.com/11957049">https://www.ecode360.com/11957049</a>	Central Business, General Business, Highway Business, Neighborhood Business, General Industrial, Special Industrial, Planned Village, Medical, Urban Residential-B and Urban Residential-C Zoning Districts, within those portions of the Water Supply Protection Overlay District which was zoned industrial as of January 1, 2006,	ADD Entranceway Business, Office Industrial Replace 'Overlay District' with 'Zone'	Reflect addition of newer zoning districts, Reflect shift in zoning from an overlay to an underlying zone
6	Ch. 337 Wetlands Protection	§337-10 Performance standards. C.	<a href="https://www.ecode360.com/11957050">https://www.ecode360.com/11957050</a>	Entirety of Section C	Delete <b>[Note: Requires renumbering of subsections D - G]</b>	BP Zoning no longer exists
7	Ch. 337 Wetlands Protection	§337-10 Performance standards. E[7]	<a href="https://www.ecode360.com/14928507">https://www.ecode360.com/14928507</a>	Central Business, General Business, Neighborhood Business, General Industrial, Special Industrial, Planned Village, Medical	ADD Entranceway Business, Office Industrial	Reflect addition of newer zoning districts

## EXHIBIT B - "HOUSEKEEPING" CHANGES

#	Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
8	Ch. 337 Wetlands Protection	§337-10 Performance standards. E[7]	<a href="https://www.ecode360.com/14928507">https://www.ecode360.com/14928507</a>	All water supply protection overlay areas zoned residential as of January 1, 2006, regardless of the underlying zoning, and all other areas	Delete <i>All water supply protection overlay areas zoned residential as of January 1, 2006, regardless of the underlying zoning, and</i>	Will read 'All other areas'
9	Ch. 40 Enforcement	§40-5 List of enforcing officers and penalties for noncriminal disposition. B.	<a href="https://www.ecode360.com/11953687">https://www.ecode360.com/11953687</a>	All instances of "Director of Planning and Development or his/her designee"	Change 'Development' to 'Sustainability'	Correct Department Title
10	Ch. 40 Enforcement	§40-5 List of enforcing officers and penalties for noncriminal disposition. B.	<a href="https://www.ecode360.com/11953687">https://www.ecode360.com/11953687</a>	Chairman, Conservation Commission	Change to 'Chairman, Conservation Commission or his/her staff agent or designee'	In practice, staff, rather than volunteer board members, issues violations for
11	Ch.156 Central Business and West Street Architecture	§156-10 West Street Architecture Process. B.	<a href="https://www.ecode360.com/14927884">https://www.ecode360.com/14927884</a>	Office of Planning and Development	Change 'Development' to 'Sustainability'	Correct Department Title
12	Ch. 161 Demolition	§161-6 Administration. B.	<a href="https://www.ecode360.com/11954485">https://www.ecode360.com/11954485</a>	Office of Planning and Development	Change 'Development' to 'Sustainability'	Correct Department Title

**EXHIBIT B - "HOUSEKEEPING" CHANGES**

#	Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
13	Ch. 161 Demolition	§161-6 Administration. D.	<a href="https://www.ecode360.com/11954487">https://www.ecode360.com/11954487</a>	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.	<del>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.</del> 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.	Superseded by Ordinance Change that shifted applicable date to 1945
14	Ch. 161 Demolition	§161-8 Enforcement and penalties. A. Authorized agents	<a href="https://www.ecode360.com/11954492">https://www.ecode360.com/11954492</a>	Director of Planning and Development	Change 'Development' to 'Sustainability'	Correct Department Title
15	Ch. 350 Zoning	§350-3.4, 350-3.5, 350-7.4, 350-8.10, 350-8.8, 350-10.1, 350-10.4, 350-10.9, 350-10.15, 350-11.5		Planning and Development	Planning and Sustainability	Correct Department Title in various locations

## EXHIBIT B - "HOUSEKEEPING" CHANGES

### A

#	Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
<b>ZIMNOCH REQUESTED CHANGES</b>						
16	Ch. 312 Vehicles and Traffic	§312-99 Violations and penalties. B. (2) Group B. Fine \$15. #14	<a href="https://ecode360.com/11956780">https://ecode360.com/11956780</a>	Less than <b>15</b> feet of clearance	Less than <b>12</b> feet of clearance	Change for consistency with §312-27F. <a href="#">Section 312.27F is also recommended for further study.</a> See Exhibit C.
<b>Miscellaneous Changes Already Discussed</b>						
17	Ch. 350 Zoning	§350-8.1 Off-Street Parking Requirements C. Table of Off-Street Parking Regulations	<a href="https://ecode360.com/11957545">https://ecode360.com/11957545</a>	<b>Use.</b> Any dwelling unit (including residential component of mixed residential/work space), except as noted below <b>All districts other than CB (one space per) 500</b> square feet of gross floor area, up to a maximum of two per dwelling unit	<b>All districts other than CB (one space per) 500 square feet of gross floor area, up to a maximum of two per dwelling unit. See specific district use table</b>	Refer user to Table of Use and Dimensional Regulations for parking requirement. Present value is inconsistent with §350 Attachment 8 Table of Use and Dimensional Regulations, URC District, which lists parking requirement for dwelling units as one space per 1,000 sq. ft. gross living area.
18	Ch. 116 Alarms	§116-1 Responsibility for fines; violations and penalties	<a href="https://ecode360.com/11954076">https://ecode360.com/11954076</a>	§116.1 If any residence or place of business has an intrusion alarm which results in a notification to the Northampton Police Department of an alarm at said residence or place of business, the owner of the property or the tenant in possession, whomever has control of said alarm, shall be subject to a fine as set forth in Chapter 40, Enforcement, for each false alarm after the first <del>three</del> false alarms <del>in any calendar year.</del>	§116.1 If any residence or place of business has an <del>an</del> <b>false</b> intrusion alarm which results in a notification to the Northampton Police Department of an alarm at said residence or place of business, the owner of the property or the tenant in possession, whomever has control of said alarm, shall be subject to a fine as set forth in Chapter 40, Enforcement.	Phrase 'after the first three false alarms in any calendar year' conflicts with §40-5. [Per §40-5, 1st false alarm - no charge; 2nd false alarm - \$25; 3rd false alarm - \$50; 4th and subsequent - \$100] Insertion of the word 'false' is necessary because otherwise the ordinance renders anyone having an intrusion alarm (even if not false) liable for penalties.
19	Ch. 285 Streets, Sidewalks and Public Property	§285-32, §285-33, §285-34, §285-41, §285-43, §285-45,		Public Works Commission	Delete all references	No longer exists

## EXHIBIT B - "HOUSEKEEPING" CHANGES

#	Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
20	Ch. 312 Vehicles and Traffic	§312-43 Parking for Physically Handicapped	<a href="https://ecode360.com/11956590">https://ecode360.com/11956590</a>	SEE ATTACHMENT	Change references to 'handicapped,' 'disabled' and 'disability' to accessible parking language.	Revised to update language as attached. The Northampton Disability Commission has reviewed and approved these proposed amendments.

# Report of the 2020 Special Committee for Review of Ordinances

## Exhibit C

### Ordinances Recommended for Further Study

1. Charter Review.

Member Paik suggested that the Committee recommend that the review of the Northampton City Charter pursuant to Section 10-6 of the Charter and Chapter 9 of the Code of Ordinances, which is undertaken at ten-year intervals in years ending in a nine, be increased in frequency. Member Paik noted that, as part of ordinance review, committee members discovered that many areas of concern are in the exclusive purview of the executive branch. The Mayor has broad powers to be able to create departments, set policy, hire staff, etc. On March 23, 2021, the Committee voted to recommend further study of this issue.

2. Rental Agency Fees.

The Committee considered a proposed ordinance that would prohibit charging tenants a rental agency fee and require that any such fee be paid by the landlord. While the Committee believed that such an ordinance would alleviate the cost burden to renters, City Solicitor Alan Seewald advised the Committee that such legislation would violate the provision of the Home Rule Amendment to the Massachusetts Constitution that prohibits local legislation that alters civil relationships. According to Solicitor Seewald, the contract between the landlord and the rental agency, which requires that fees be paid by the prospective tenant, is such a civil relationship. Such an ordinance could be adopted only after a special act is passed by the state legislature and signed by the Governor. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance but, instead, to urge the City Council to study this issue and to file a petition for special legislation with the state legislature to authorize such an ordinance.

3. Towing of Vehicles Impeding Snow Removal Operations.

Councilor Foster brought to the Committee's attention § 312-51, The Towing of Vehicles Impeding Snow Removal Operations, which creates significant financial and logistical hardship for lower income residents who are primarily renters without dedicated parking spaces. The Committee referred the issue to Planning Board for review and comment. The Planning Board pointed out that the parking issues cited by the councilors appear to arise around pre-existing, non-conforming properties that are not required to comply with the parking requirements in our zoning and recommended:

- Improve seasonal messaging around snow emergencies, parking restrictions, and clearing snow from sidewalks;
- Explore a reduced or free towing fee/fine for first time offense;
- Provide more consistent parking enforcement across the city;

- Develop a renters' folder with important information;
- Explore pop-up parking lots on private property; and
- Inquire with the NPD where such towing occurs and better communicate with the residents in that particular area.

Councilor Nash informed the Committee that he and Councilor Foster will continue to study this issue. On March 23, 2021, the Committee voted to recommend further study of this issue.

4. General Sign Regulations.

Councilor Alex Jarrett asked the Committee to recommend that the City Council review §350-7.2 General Sign Regulations based on the Supreme Court decision Reid vs. Town of Gilbert. That case significantly changed the permissible scope of regulation of signs by prohibiting differentiation of regulation based upon the content of the sign. City Solicitor Seewald explained that the existing ordinance is not being enforced and that he has taken up this issue with the Council President and the Assistant Director of Planning and Sustainability. The Committee voted on March 15, 2021 to urge the City Council to continue to study this issue and to revise the existing ordinance to conform to Supreme Court precedent.

5. Proposal to Expand Notification under §350-3.5.

Councilor Nash proposed an ordinance to expand notification of proposed changes to zoning district lines under §350-3.5 to include owners and tenants of abutting properties in addition to owners of affected properties. The Committee referred the issue to the Planning Board for review and comment. While the expansion of notification would provide greater transparency regarding nearby zone changes, the Planning Board had concerns with the ability of the city to identify those entitled to expanded notice and the potential that such an ordinance would increase litigation against the city. The Board recommended:

- Develop an address list of property owners and residents for mail notification;
- Develop an address list where notices are sent to the "resident" at a given address, forgoing the need for a resident's name; and
- Increase use of listservs for notification (Planning Department, City Councilors, neighborhood groups, etc.).

Councilor Nash informed the Committee that he and Council President Sciarra will continue to study this issue. On March 23, 2021, the Committee voted to recommend further study of this issue.

6. Commercial Buffer Zone Proposal.

Councilor Alex Jarrett suggested that the Committee recommend a Commercial Buffer Zone Proposal to supplement § 312-25 Prohibited Activities During Certain Hours of the

Day with specific regard to commercial trash removal in proximity to residential structures. The ordinance is general in nature, but it uses zoning terminology in terms of location of its applicability. The Committee noted that there would be difficulty in determining exactly where that line of demarcation would be located. Action was deferred at Councilor Nash's request pending further research. On March 23, 2021, the Committee voted to recommend further study of this issue.

7. Unobstructed Lane of Travel.

Fred Zimnoch brought to the Committee an inconsistency between §312-27(F), which prohibits parking that would not leave a 12' wide unobstructed lane for passing traffic, and the enforcement provision contained in §312-99. In Exhibit B to this Report, the Committee has recommended that the two provisions be made consistent at a width of 12 feet. At the same time, the Director of the Department of Public Works pointed out that literal enforcement of this provision would require that parking be prohibited on many older streets in the more densely populated areas of the City, where the road width would not permit such an unobstructed lane along parked cars. Considering the balance necessary between the need for parking in those neighborhoods and the need for safe passing lanes, on March 23, 2021, the Committee recommended further study of this issue.



**Roll Call**

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

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A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:31 p.m. on a roll call the following City Councilors were present:

- |                                          |                                      |
|------------------------------------------|--------------------------------------|
| 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 LaBarge    | Ward 6 Councilor Marianne            |
| 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 by remote participation and audio and video recorded.

**Public Hearings Announcement of public hearing concerning the Northampton Capital Improvement Program for FY2022-FY2026 - Thursday, March 18, 2021**

**Public Hearings Announcement of a public hearing concerning the Northampton Capital Improvement Program for FY2022-FY2026 - Thursday, March 18, 2021**  
 Councilor Sciarra made the following announcement:  
 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](http://www.northamptonma.gov). The CIP is available for inspection [here](#).

**Announcement of public hearing to consider FY 2022 Water and Sewer Rates**

**Announcement of a public hearing to consider FY 2022 Water and Sewer Rates**  
 Councilor Sciarra announced the following:  
 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](http://www.northamptonma.gov), no later than 48 hours prior to the meeting.

**I Updates from Council President/ Committee Chairs**

**Updates from Council President and Committee Chairs**  
 None.

**Recognitions and One-Minute Announcements by Councilors**

**Recognitions and One-Minute Announcements by Councilors**  
 The Northampton Policing Review Commission (NPRC) is holding its third and final public hearing Saturday, March 6, 2021 at 11 a.m. The outreach form is readily accessible now from the NPRC’s page on the city website.  
  
 The Planning Board and City Council Committee on Legislative Matters will hold a joint hearing this Monday, March 8, 2021 to take up ordinances related to affordable housing and half-scale housing units at 7 p.m.

And, a public forum on river swimming covering the Mill River and a myriad of issues around swimming holes is March 10, 2021 at 6 p.m., Councilor Maiore reminded. She will post a link to a survey asking basic questions about the use of the Mill and Connecticut Rivers for swimming and related issues on social media.

**Communications and Proclamations from the Mayor**

**Communications and Proclamations from the Mayor**

Mayor Narkewicz gave a brief update on vaccination clinics. At the last meeting, he noted Northampton was in the process of applying to become a regional vaccination site and mentioned some of the challenges with the scheduling system and vaccination supply. He would like to be able to report that things have improved radically, but unfortunately they have not. Councilors may have been hearing from constituents about the cancellation of appointments, and he knows this has caused a great deal of concern, frustration and anxiety. As he has reiterated, the 60 people who run those clinics share that frustration. He continues to stress to people that the scheduling system itself is a state system. They understand it has quirks and incredible wait times; most importantly, it is something they don't have control over. The vaccination supply system has driven the recent cancellations.

The problem has been especially pronounced with Moderna vaccines where they have had a shortage and lots of people waiting for second vaccines, he elaborated. Local administrators continue to press the state for additional vaccine supply. The folks who have accessed and used the senior center have been to a person incredibly impressed and grateful. They have been able to move hundreds of people through the building. In order to accommodate the additional traffic, they have literally had to deconstruct the fitness center and put it into storage. People register and then are separated into pods throughout the building. They have done everything they can [to insure smooth operation]. When the goal posts got moved and they were told they had to shut down, they did everything they could to ramp up, but, sadly, they have been receiving fewer vaccines than before they became a regional vaccination center. They are extremely excited and heartened that both President Biden and now Governor Baker have said educators should be prioritized, and the governor has announced he is now moving toward that goal. The challenge is that none of the other things mentioned have changed, once again putting incredible pressure on local Boards of Health. He wanted to give people a sense of that because he understands how anxiety-producing it is, but it is outside of the city's control.

Supply and logistics continue to be a major concern. They know people want to call the senior center and health department and realize they can't answer all of those calls immediately. Clinic coordinators are doing incredible work with a variety of medical corps, EMT's, volunteers, etc.

Councilor Sciarra thanked the mayor for the remarkable effort to get Northampton to become a regional site.

**Resolutions 21.201 Resolution in Opposition to State Incentives for Biomass Plants -1st reading**

**Resolutions**

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

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

Councilor Sciarra read the resolution.

Councilor Jarrett thanked Adele Franks, Climate Action Now and co-sponsors Councilor Maiore and the Northampton Energy and Sustainability Commission (NESC). He thinks this speaks to the need to be very careful about what they consider renewable. There are existing small, efficient combined heat and power biomass plants that use waste wood chips such as the one at Cooley

Dickinson Hospital that supplies electricity, heat and hot water effectively. What they're primarily opposing here is not that, but inefficient power facilities that would require much more biomass than the waste available. These incentives are paid for by taxpayers and ratepayers and the result is pollution in many forms that imperils them and their Springfield neighbors in the short-term and creates CO2 emissions that endanger the future. There are two bills in the state legislature that they decided not to mention (Senate Bill 2381 and House Bill 3753) because they did not have consensus around some of their provisions but he encouraged listeners to look them up.

Councilor Maiore reiterated that Springfield has one of the highest rates of asthma in the country and is a vulnerable community with fewer resources to fight something this large and that Northampton is not physically far enough to escape its impact. She mentioned state legislators that have shown opposition and the Springfield City Council. The thing that strikes her is the perversity of getting ratepayers to subsidize their own ill health. They are spending \$175 million dollars over 20 years to subsidize particulate pollution in their own air. This really strikes her as quite wrong.

Councilor Dwight said he is grateful to the proponents and sponsors of this resolution. The cruel irony is that 10 or 11 years ago they were resisting the same project. At the time, he was working on a radio show and heard from proponents and opponents. Proponents actually benefitted from the ability to have an unabashed cynical attitude to this. It is cynical to allude to this as a renewable energy; it is not in any way, shape or form. It ostensibly uses and burns a carbon sequestration system - wood - and at the same time reintroduces carbon back into the atmosphere, the whole thing they're trying to arrest. The same sense of urgency existed then and here they are now having the governor and his agents making an expedient decision to allow just this one biomass plant. It looks like a 'gimme' to somebody.

The most grotesque part and something seen system-wide with every kind of energy-generation facility, is that plants are located in areas that do not have the means or the agency to defend themselves. This is seen with landfills being located proximate to communities that cannot protect themselves. Springfield has suffered a number of insults when these types of cynical projects are established. Holyoke took down its coal plant. They actually wrote a resolution in opposition to that as well. They now have the opportunity to join forces regionally to say they will not abide by this perversion of the concept of green and renewable energy. "We are joining forces, we will circle the wagons with them if we vote in favor of this," he noted. He is very grateful to sponsors for giving them this opportunity, he concluded.

Councilor Foster thanked cosponsors and proponents. She was struck by Councilor Maiore's comment that ratepayers would subsidize their own ill health. She thinks it is also important to put the additional face on it of the individuals who would subsidize this. "We as taxpayers would be asked to subsidize this financially," she observed.

Her younger child has asthma and for about a year and a half it was not well-controlled, she related. She remembers constantly looking at the emotional and financial cost of dealing with an individual in the family with asthma - it is significant. They might need to listen to her talk for about five hours to know the incredible burden asthma can bring to a family when it is not well-controlled. They have made ER trips, they have missed so much work, he has missed so much daycare and all of these costs are costs shouldered by individuals. She mentioned co-payments, nebulizer, prescriptions, medication monitoring, etc. Those are costs that are hard to quantify to a family. His episodes would last for several days. She remembered one night watching him sleep and checking his respirations and feeling anger knowing that individuals and families were bearing the cost - especially individuals whose asthma is triggered by air quality - of things like a biomass plant and air pollution. It's out there in the ether.

She wholeheartedly supports the resolution and definitely stands in solidarity with Springfield and the Springfield City Council in resisting this coming to their community.

Between people who spoke in public comment and his colleagues tonight there is no way he could express thoughts better than what has been heard, Councilor Quinlan stated. He wondered if in the final 'Therefore Be It Resolved' clause it would be possible to list the Springfield City Council as a recipient and send them a copy.

He so moved. Councilor LaBarge seconded. The motion to amend passed unanimously 9:0 by roll call vote.

Councilor LaBarge said she has relatives in Springfield and Holyoke who are very upset about this coming forth in Springfield. Way back they bought a wood stove from a Hadley shop. They had wood delivered and started burning and within two weeks she started itching. She ended up seeing Dr. Gilburn, an allergist, and finding out she was allergic to every tree except for pine. She agrees with the resolution. It almost reminds her of the landfill on Glendale Road, fighting and fighting for people who were becoming so ill.

"I do not support that happening in Springfield," she said. It is not just going to affect Springfield, it will be Holyoke and them also. She wants to make sure everybody here in Northampton and Springfield are not affected. "There's a lot of health issues that can occur with this."

Councilor Nash thanked sponsors and speakers. The education that's gone along with all the testimony tonight has been very profound and is really appreciated.

Councilor Sciarra said she thinks it is very important to stand in solidarity and to fight for their neighbors. Of course, it was stated that this is also in their own best interest and in the interest of the world.

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

**See minutes of May 18, 2021 for second reading.**

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

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

Councilor Sciarra stated her intention to take the package of zoning ordinances out of order since there were audience members present for this item.

Hearing no objection, she moved to item #17 on the agenda. She recited the history of council action on the ordinance to date and read the proposed new definitions. The ordinances are a challenging group to read in a way that elucidates rather than makes them confusing, she noted. Her suggestion is to put them on the floor as a group and put them up on the screen.

Councilor Dwight moved to approve the ordinances as a group in first reading. Councilor Jarrett seconded.

Councilor Sciarra read the definitions, and Office of Planning and Sustainability (OPS) Assistant Director Carolyn Misch gave a Powerpoint presentation.

The ordinances have been through a public hearing process and they have talked on a few occasions about the context of the two-family by right proposal, Ms. Misch reminded. It is part of an overall series of amendments the mayor and planning office are sponsoring to try to address the issue of housing in Northampton, close the gap in needs that have been identified through several studies and planning processes and provide opportunity for housing options at

all income levels. For further context, Councilor Jarrett announced a public hearing on March 8th with the Planning Board on ordinances to create incentives for affordable housing and for half-scale units. In addition, planners are working on zoning amendments that would allow the ability to create ground-floor, multi-family housing in downtown Florence and downtown Northampton to create opportunity for higher density housing in those districts.

The reason for focusing on two-families is to address equity by providing more rentals in all neighborhoods of the city - not just areas where two-families are currently allowed - provide opportunities for individuals to access housing at a lower median price and concentrate development in areas where infrastructure already exists to reduce the city's carbon footprint, Ms. Misch explained. Transportation and housing are the biggest areas with opportunities for reducing the city's carbon footprint. They are working simultaneously to match up housing and transportation needs and to reduce the demand for travel.

The proposal is a way to create housing opportunities that meet a greater percentage of the needs identified for residents and people trying to buy into the Northampton market or find rental housing, she continued. Two-family homes are smaller and therefore less costly for people entering the market. They have looked at median house sizes for single-family homes vs. two families. The median size for single-family homes is 1,779 s.f. while the median unit size for two-families is 1,200 s.f. Two-families require less impervious surface per person and consume less energy, particularly in situations where there are shared party walls.

Ms. Misch showed a map of the areas where two-families are currently allowed by right, Urban Residential B (URB) and Urban Residential C (URC). They are the two districts surrounding downtown, covering the area of densest housing stock in Northampton. What this ordinance will do is open it up to allow two-families essentially in all other [residential] areas of the city.

As part of the package, they are restructuring definitions and essentially eliminating the definition of accessory dwelling unit (ADU), Ms. Misch continued. They now allow ADU's throughout the city but they are capped at 900 s.f. and the owner is required to live in the unit. They are taking that element away and just calling it a two-family. Two units would be allowed in any context without the cap and without the ownership requirement. They are also creating a series of design standards for two-families that they haven't had to date which require modifications of the Tables of Use of some zoning districts.

The package was introduced as ten ordinances, but there is a recommendation to eliminate one of them (20.169). Part of this is also reformatting the Water Supply Protection (WSP) district table to match the formatting of other tables. There is also an element that would require the addition of two units to include a fossil fuel-free heating system. And, there is a clean-up of items, including eliminating any reference to the residential incentive overlay district.

A joint public hearing was held January 14<sup>th</sup>. The hearing was closed, but there was a continuation of discussion until February 8<sup>th</sup>. In the intervening time, modifications to some of the ordinances were introduced based on questions and concerns raised during the public hearing.

Ms. Misch reviewed the amendments to the ordinances since they were originally introduced in response to the comments heard.

On February 8<sup>th</sup>, the two bodies reconvened and took votes on the ordinances as amended. The Planning Board voted 5 to 2 to recommend approval with the modifications. Of the two members who voted not to recommend the package - Christa Grenat and Alan Verson - one member was concerned about the fossil fuel-free component and would otherwise have voted on the package if that

could have been extracted. She wasn't against the entire package, just the component related to the requirement for the heating system to be fossil fuel-free.

The other member didn't like the fossil-free component but also was concerned that there wasn't a cap on the size of the two-family units and so voted down the entire package based on size. At the time, it was not clear that there was a whole series of amendments coming in steps. One of the other proposals provides an incentive for creating smaller units which they feel complements the two-family proposal, so it is their belief it does not limit the ability to create smaller units.

Ms. Misch offered to entertain questions or go into more detail.

### **DISCUSSION**

She had a conversation earlier this afternoon with Councilor Jarrett about the screening requirement in the design component of the package (20.166), Ms. Misch added. He raised a concern about an owner not having the opportunity to replace trees on a property to the extent required. He mentioned interest in discussing waivers for people who might not have space on a particular lot to both add a second unit and plant additional trees to offset the trees being cut. She said she'd be happy to discuss that further.

Councilor Nash expressed his understanding that the Sustainable Northampton Plan presents the concept that infill is supposed to happen in the urban core and that outer areas are to be protected to preserve wildlife habitat and the watershed. In terms of that perspective, [development] is about 'hitting the bullseye on the target of Northampton,' particularly the urban and village centers. This seems to be going counter to that, he observed.

Ms. Misch emphasized that planners have allowed ADU's as part of single-family homes in all parts of the city but it comes with a restriction on the size of the unit so it limits flexibility for people with different family needs. This allows more flexibility and provides rental opportunities in areas of the city where they are not currently allowed. It is sort of the half-step to allowing more residential. They are not increasing density by leaps and bounds in more suburban areas but are providing options for people who might want to live or rent in areas that are not in the core. Single-family home zoning is exclusive and sort of demarcates who's allowed and not allowed. They want to start to lift those historic patterns of inequity and acknowledge the fact that they don't want to create barriers for people in their choice of where they want to live.

Councilor Nash said he gets that but thinks they need to acknowledge that they are pushing into one of the goals of the plan, namely, to preserve habitat and the watershed.

None of the other regulatory structures are being reduced or eliminated in this process, Ms. Misch pointed out. They still have the local wetlands ordinance and the Wetlands Protection Act (WPA). What they're talking about probably is one additional unit or an expansion of an existing accessory unit in a single-family home in a building envelope that already exists. By that they are actually reducing the pressure on building further out or shifting people into Easthampton or Greenfield. By allowing more households on a property where zoning would only allow a single-family home they are reducing the impervious surface and built area needed to accommodate two households. It meets the goals of both the sustainable Northampton and the updated Climate Resilience and Regeneration Plan, she confirmed.

Councilor Nash said he appreciated the case made for two-families and thinks the two-family model is more efficient, more economic and adds flexibility in all of the zones throughout the city. The thing he's wondering about is the jump to allow an additional structure of unlimited size on a property. Right now they're joined together - two families and two single-family homes on a lot. He asked

how planners thought combining them was the way to go. He sees them as almost two different things to be considered.

Zoning currently allows detached accessory dwellings in all areas of the city by special permit, Ms. Misch responded. Ultimately, it is still two units per parcel. There are still open space constraints on a property so the maximum allowed impervious surface is not proposed to be changed. Whether someone puts a detached garage that is 1,200 s.f. on a property or a detached 2<sup>nd</sup> unit, they are going to look at those the same. As long as an applicant is meeting open space requirements and setbacks, they could have either a detached garage or a detached second unit.

Councilor Nash asked if there is a way to incentivize two-families in this. Part of the incentive is that it is more economical than building a whole new structure with a whole new system. He asked if she thinks that's enough incentive to promote two families over two separate houses on a lot. In terms of sustainability and affordability, he would like to see more two-families across the city than two separate houses on a lot.

To some extent that's trying to predict the market, Ms. Misch responded. "I don't have a crystal ball; I don't know," she said.

It seems like the two-family is incentivized just by the nature of it, Councilor Nash commented.

Regarding the fossil fuel restriction, Councilor Dwight noted this came up during the joint hearing and in public comment by former Councilor David Murphy. He pursued this with Adin Maynard, former chair of NESC and also an energy consultant. He also spoke to someone who builds small accessory units about the feasibility of creating a house that can be sustained without fossil fuel. They both said it is eminently doable especially when conforming to the stretch code.

Mr. Murphy referred to the fact that in Brookline it was rejected out of hand with the explanation that its appropriate place is in the building code.

#### **CITY SOLICITOR OPINION ON FOSSIL FUEL-FREE RESTRICTION**

The Brookline provision was reviewed and rejected by the state Attorney General (AG); it was not a court decision, Attorney Seewald clarified. Town bylaws become effective only after review and approval by the AG. Cities are not bound by that review so the review is not binding on them. It had to do with a much more elaborate scheme to regulate the use of fossil fuels. The bylaw applied to all major commercial structures, set up a review board and was much more elaborate than what they're doing here. The AG reply focused more on the supply and alternatives than what they're doing here, which is incentivizing smaller two-families. On a larger two-family, developers are going to have to go to non-fossil-fuel heating systems.

It is a close call, he acknowledged. The AG recognized that sustainability is a proper focus for zoning but struck down the way Brookline did it.

Here, Northampton does not have to allow two-families at all. It is his position and something that's never been ruled on by a court that they have the right to determine the terms upon which they will allow two-families as of right over 2,000 s.f. in size. There is no state policy on the conditions upon which all cities and towns must allow two-family residences. They are allowing something that they're not necessarily required to allow and are conditioning it on a certain form of energy to heat it. He's not here to comment on the wisdom of any of this but is here to say that the focus is not on the state policy of how energy is delivered or how systems are constructed and installed, the focus here is whether to allow two families in all districts or not.

Councilor Dwight said it seems to him that by making this fossil fuel-free

restriction they also incentivize smaller structures. As to the efficacy of air source heating pumps, with a smaller envelope it is much easier to manage, control and maintain the supporting heating system. They heard Mr. Murphy refer to the potential of people freezing to death because there is no redundancy in it. He noted there's not a lot of redundancy in homes with fossil-fuel heating systems either.

The loaded question is whether they think this incentive actually threatens the viability and prospect of more two-family homes being developed, Councilor Dwight stated.

Attorney Seewald said he also has no crystal ball. All he can say is that the ordinance as developed at this moment would allow any builder to build with fossil fuels under 2,000 s.f. To that extent, it incentivizes the construction of smaller units. He knows there are those in the city who would very much like to see smaller units that are more affordable.

They are already seeing a lot of new construction with air source heat pumps, Ms. Misch said. When building new construction to the stretch code, the fact that the structures are much tighter means they don't require as much energy to heat. Even if they had a back-up heating system, it's not going to take a lot to heat that space. The building envelope is very tight because of the stretch code requirements for insulation.

Outside of URB and URC, any two-family is going to trigger site plan review, she added.

All heating systems now have an electrical panel, so it doesn't matter if households don't have electric heat, they still won't be able to turn their heating systems on, Ms. Misch continued. "All of us are going to have problems no matter what kind of heat source," she pointed out. Based on the fact that there are builders now who are including these systems she doesn't think it is necessarily going to restrict the development of new two-families.

Without expressly saying it, what they're proposing is actually a built-in incentive not to go Mc-Mansion but to be more restrained in whatever system is chosen, Councilor Dwight suggested.

Ms. Misch allowed that was a valid theory. If builders go smaller to avoid site plan review, they could put a gas furnace in, but at that point it is such a small unit anyway that it might not make sense. There are probably a lot of ways to look at it, she noted.

Councilor Dwight said it is worth noting there is still a standing moratorium on gas development.

There's always propane and oil, Ms. Misch reminded.

Councilor Jarrett said he's also done some research. He spoke with Adin Maynard and folks at Northeast Energy Efficiency Partnerships (NEEP). He thinks the consensus is that, for a smaller unit, the installation cost of a heat pump system is less than a fossil fuel-based system. Whole house heat pumps are also getting significant rebates from the Mass. Clean Energy Center. The only place that the technology is not mature enough is for very large buildings. He has spoken to people and feels very comfortable moving forward in first reading.

For the next 20 minutes, members asked questions and offered comments and Ms. Misch shared further details of specific components of the two-family proposal and related zoning provisions. Topics discussed included the zero lot line provision, minimum lot size, the placement or 'fit' of new construction in relation to existing structures and the difference in fossil fuel-free requirements for the two-family proposal vs. the affordable housing and half-scale housing

proposals.

Councilor Dwight reminded fellow councilors that the two-family proposal is one leg of a four-legged table which, in toto, will create more affordable opportunities but also more opportunities for people in the middle and upper income range. Every time they propose and change zoning with the overall objective to increase opportunity and affordability, it is always met with resistance principally based on the way people fear it would change the character of their neighbor-hoods. The resistance is to not being able to control and manage the immediate environment.

This conversation has been very deliberative and thoughtful, and he is grateful for Ms. Misch and Director Feiden's patience on this. "I'm ready to move on these personally," he said.

Councilor Maiore said she wanted to honor the work residents have put in, especially Bay State residents. She sees their passion and their stress and concern. She doesn't think what they're concerned about can actually be solved in this package or ordinances. She just wants to say, "I hear them."

She knows Mr. Handzel is on the call and that there are potentially four to six more units to be built in that area. She is hoping Mr. Handzel has heard the comments and that Bay Staters have heard what they're doing here. She wondered if there are further things they can do for concerned residents around these changes.

Councilor Jarrett said he also feels the frustration about the limitations of what they're able to do with zoning. They can't regulate single-family homes and they can't regulate the issue of wealth and inequality. He thinks 5,700 s.f. single-family homes going in and replacing affordable housing is 'grotesque.'

"We don't have the ability to regulate this but we can provide incentives and I think that's what we're trying to do," he concluded.

#### **20.166 Section 4 Screening**

Councilor Jarrett raised concern about a homeowner not being able to meet the tree planting requirement of 20.166 Section 4 Screening above and beyond the requirements of the Significant Tree Ordinance. Section 4 requires that, for every tree over three inches (3") in caliper removed, a one-inch (1") replacement tree must be planted. What if a property owner had to remove 20 or 30 3" trees and couldn't fit all the 1" trees on the lot? He asked. He wanted to make sure there was some flexibility to allow people to proceed with a project if they weren't able to fit all the required trees on the property.

Ms. Misch said it is a good point. Often there are alternative ways to meet a standard or ways of waiving a standard. She has some language that could be added to the screening section to allow the Planning Board to waive the total number of trees to be planted if it finds it's not feasible to replace all the trees and at least one 1" tree is planted. She said she forwarded the language to the administrative assistant. She agreed having a relief valve makes sense.

Councilor Nash said his questions have been answered. He is interested in hearing from councilors whose wards are more strongly impacted about how they picture the changes might affect their residents. He voiced his intention to do some outreach to his constituents to make sure people are well aware of the proposal to allow a second home on a single lot before he votes on this measure in two weeks.

Councilor Jarrett clarified that it is only in outlying zones that the ability to add a second unit is changing. In URB and URC zones, a second detached dwelling is already allowed.

Councilor LaBarge thanked Ms. Misch, saying she thinks she has explained it

very, very thoroughly. She thinks the ordinance is an excellent ordinance for enabling people to have a home and live in Northampton at a price that is a very good price.

Ward 6 has areas of smaller homes and homes built a year and a half ago for \$2.5 million and one on Florence Road for \$1.9 million. "I'm so happy about this," she enthused. Ward 6 has affordable housing on Emerson Way and Burts Pit Road. She thinks it is a great asset to wards in the city.

Councilor Jarrett said he is also really happy about this ordinance. Regarding the suggestion made during the public hearing of having a limit on the size of second units and concern that they will see a lot of large, expensive homes, presently, owners can build a 2<sup>nd</sup> unit of any size in URB and URC zones and they're not seeing a lot of very large second units, he pointed out. He wants to keep thinking about it but he is just not sure limiting the size of the second unit would have the desired effect. He would love to hear if any other councilors have thoughts on this.

When running for City Council, one of the things she heard most was the need for more affordable housing, Councilor Foster shared. She is glad to see an ordinance making it easier for multi-family homes to be built. Most of her questions were answered through the hearings. To Councilor Jarrett's point about limiting size, families are looking for housing too, and it is hard to come by. She doesn't know what the benefit would be. Just as there are singles and couples looking, there are families with multiple children looking, too. Units that can accommodate a family with multiple children would be really valuable.

Councilor Sciarra agreed this is an important area of the market they need to grow.

Councilor Dwight mentioned that sponsors have asked to remove one ordinance, 20.169.

When initially introduced, there was a provision that would allow slightly larger two-families to go through without site plan approval which required an amendment to the site plan section (subsection 11) itself, Ms. Misch explained. Given that through public comment, they have eliminated the distinction of allowing slightly larger two-families to go through without site plan approval, it has been withdrawn.

Councilor Dwight amended his motion to remove ordinance 20.169 from the package to be approved in first reading. As the second to the original motion, Councilor Jarrett consented to this friendly amendment.

The motion to approve the ordinances in first reading with 20.169 removed passed unanimously 9:0 by roll call vote.

Ms. Krutzler clarified that council rules state that items may be removed upon the written request of the sponsor with no vote. The sponsor has made a written request for withdrawal of 20.169, so no vote to accept withdrawal is necessary, she confirmed.

**See Minutes of March 18, 2021 for second reading.**

**20.182  
Ordinance  
Relative to  
Demolition  
Review for  
Historically-  
Significant  
Buildings - 1st**

**20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings - 1st reading**

Councilor Sciarra read the ordinance.

Councilor Quinlan moved to approve the ordinance in first reading. Councilor LaBarge seconded.

Conservation, Preservation and Land Use Planner Sarah LaValley said the

<p><u>reading</u></p>	<p>proposed changes are pretty straight forward on their own although she knows a lot of semi-related changes came up in Legislative Matters. This is basically a clean-up. Committee appointment language belongs in the administrative code and references to the Office of Planning and Development are being changed to the Office of Planning and Sustainability. When the demolition ordinance first passed it only applied to buildings through 1900. Since then the City Council and Historical Commission have moved that date up to 1945, that piece is no longer relevant.</p> <p>The motion passed unanimously 9:0 by roll call vote.</p> <p><b><u>See minutes of March 18, 2021 for second reading.</u></b></p>
<p><b><u>RECESS</u></b></p>	<p><b><u>RECESS</u></b> The City Council recessed briefly at 9:47 p.m. The City Council reconvened at 9:55 p.m.</p>
<p><b><u>Consent Agenda</u></b></p>	<p><b><u>Consent Agenda</u></b> Councilor Sciarra reviewed the consent agenda, offering to remove any item for separate discussion upon request. <b>Councilor Dwight moved to approve the consent agenda as presented. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</b> <b>The following items were approved as part of the consent agenda:</b> A. <u>Minutes of February 4, 2021 City Council Meeting</u> B. <u>21.206 Appointment of David Whitehill to the Planning Board - for referral to City Services</u> <b><u>Planning Board</u></b> David Whitehill (Full Member), 60 Washington Avenue, Northampton Term: March 2021-June 2022 <i>To fill the term of resigned full member, Alan Verson</i></p>
<p><b><u>Recess for Committee on Finance Meeting</u></b></p> <p><b><u>Financial Orders (on 1st reading pending Finance)</u></b> <b><u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement - 1st reading</u></b> <b><u>21.203 An Order to Discontinue a Portion of Sherman Avenue - 1st reading</u></b> <b><u>21.204 An</u></b></p>	<p><b>At 9:56 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 10:47 p.m. The City Council reconvened at 10:47 p.m.</b></p> <p><b><u>Financial Orders (on 1st reading pending Finance review)</u></b> <b><u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement - 1st reading</u></b> Councilor Dwight moved to approve the order as amended in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. <b><u>See minutes of March 18, 2021 for second reading.</u></b></p> <p><b><u>21.203 An Order to Discontinue a Portion of Sherman Avenue - 1st reading</u></b> Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote. <b><u>See minutes of March 18, 2021 for second reading.</u></b></p> <p><b><u>21.204 An Order to Release a Parking Easement on Glendale Road - 1st reading</u></b> Councilor LaBarge moved to approve the order in first reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor LaBarge moved to suspend rules to allow a second reading.</p>

**Order to  
Release a  
Parking  
Easement on  
Glendale Road  
- 1st reading**

Councilor Foster seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

**City of Northampton**

MASSACHUSETTS

***In City Council, March 4, 2021***

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

**21.204 An Order to Release a Parking Easement on Glendale Road**

WHEREAS, On March 1, 2001, City Council authorized the City to take by eminent domain land off Glendale and Westhampton Roads for a landfill buffer, open space and recreation, and housing and affordable housing, and authorized the Mayor to sell those housing building lots, including “Lot 6” and “Lot 7”; and

WHEREAS, As part of this transaction, the deed for the conservation area (recorded on June 23, 2003 at the Hampshire Registry of Deeds, Book 7271, Page 216) provides for a Parking Easement described as follows: “the Conservation Commission shall be allowed to build, without limitations, a three-car parking lot...provided such parking lot does not block reasonable access to Lot 6”; and

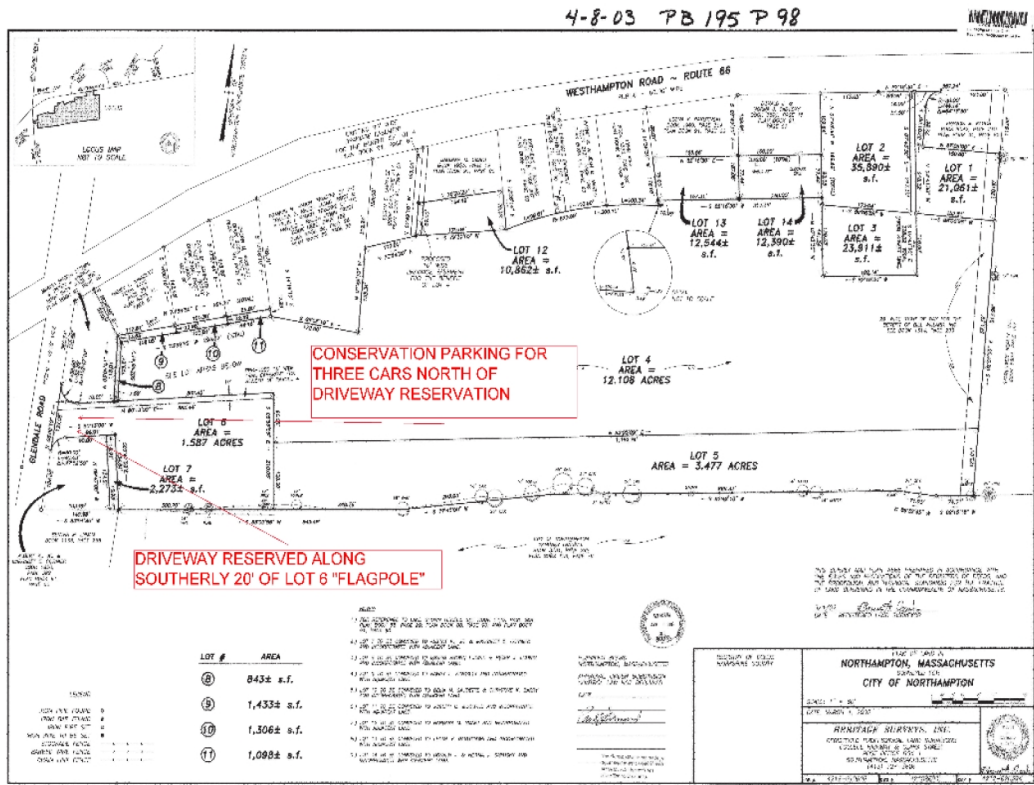
WHEREAS, The City has a buyer for Lot 6 and Lot 7 (previous lots from this limited development were donated to Habitat for Humanity and sold to a private party), who has proposed a driveway location consistent with future placement of a three-car parking lot within the Parking Easement; and

WHEREAS, The Buyer has requested that the City allow reservation of the southerly twenty (20) feet of Lot 6 for a driveway, widening out further to the south along the frontage on Glendale Road where Lot 6 widens, but a minimum of 20 feet in width at all points, as the permanent location of the driveway (“the driveway area”); and

WHEREAS, With the driveway area reserved for the driveway to the house to be constructed on Lot 6, the City will maintain enough land for a three-car parking lot while ensuring that the City parking does not block said driveway area.

***Ordered, that***

City Council hereby releases the retained (non-Article 97) interest of the City in the above-described driveway area for the placement of a driveway to Lot 6, which shall be the permanent location of such driveway. The right to place a three-car parking lot, as provided in the deed recorded in the Hampshire Registry of Deeds, Book 7271, Page 216, shall hereby be limited to areas outside the driveway area as released hereby.



**Rules suspended, passed two readings and enrolled.**

**Financial Orders (in 2<sup>nd</sup> reading)  
21.194 Order to Rescind Borrowing Authority - 3 Votes - 2<sup>nd</sup> reading**

**Financial Orders (in 2<sup>nd</sup> reading)  
21.194 An Order to Rescind Borrowing Authority - 3 Votes - 2<sup>nd</sup> reading**  
Councilor Dwight moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

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.

**Passed two readings and enrolled.**

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

**21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 2nd reading**  
Councilor LaBarge moved to approve the order in second reading. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

**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.

**Passed two readings and enrolled.**

**21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 2nd reading**  
Councilor LaBarge moved to approve the order in second reading. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

**21.196 Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Day-care and Early Education**

Facility - 2nd reading

**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.

**Passed two readings and enrolled.**

Orders

Orders

None.

Ordinances

(Not Yet Referred)

21.198

Ordinance

Relative to a

Stop Sign on

Scanlon

Avenue

21.199

Ordinance

Relative to Stop

Signs on Cross

Street

**Ordinances (Not Yet Referred)**

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

**21.199 An Ordinance Relative to Stop Signs on Cross Street**

Councilor Dwight moved to refer ordinances 21.198 and 21.199 as a group to Legislative Matters. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

<p><b><u>Ordinances</u></b></p>	<p><b><u>Ordinances</u></b> None.</p>
<p><b><u>New Business</u></b></p>	<p><b><u>New Business</u></b> None.</p>
<p><b><u>Information (Charter Provision 2-7) &amp; Study Requests</u></b></p>	<p><b><u>Information (Charter Provision 2-7) and Information Study Requests</u></b> Councilor Dwight made a request to hold a discussion going forward around possible City Council rule changes and committee changes. He respectfully asked Councilor Sciarra to appoint a committee to study changes to the council rules and committees.  Councilor Sciarra said she would take the request under advisement.</p>
<p><b><u>Motion to Adjourn</u></b></p>	<p><b>Upon motion made by Councilor Foster and seconded by Councilor Maiore, the meeting was adjourned at 10:57 p.m. The motion carried unanimously 9:0 by roll call vote.</b>  Attest: _____ Administrative Assistant to the City Council</p>



**Roll Call**

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

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A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 8:43 p.m. on a roll call the following City Councilors were present:

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 by remote participation and audio and video recorded.

**Public Hearings  
Public hearing concerning the Northampton Capital Improvement Program for FY2022-FY2026 –**

**Public Hearings**

**Public hearing concerning the Northampton Capital Improvement Program for FY2022-FY2026**

Councilor Sciarra introduced the hearing by reading the legal notice.

Councilor Dwight moved to open the public hearing. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 8:46 p.m.

Mayor Narkewicz said he is proud this evening to present the Capital Improvement Program (CIP) for FY2022-2026. This is the 10<sup>th</sup> and final CIP that he'll be presenting. The City Charter requires the mayor every year to create essentially a five-year road map of all potential capital needs of the city across all departments and schools. The program includes buildings, vehicles, repairs to infrastructure, technology and equipment. The goal of the CIP is to map out and be able to show a blueprint for how the city could fund those capital needs over a five-year period.

The capital program this year consists of 101 projects totaling \$76,628,290 spread out over five years with projects across all city departments plus the two school districts.

Mayor Narkewicz screen-shared pg. 9 of the CIP, showing an overview of projects from different areas and funding sources, including cash capital, Free Cash, stabilization funds, borrowing and enterprise funds.

Appendix A contains a color-coded summary of each project broken down by fiscal year. It is important to note that Central Services seems to have a lot of projects in this particular capital program. As the facilities department, they are often the leader in the city's capital projects. A chart presents a summary of spending across different departments, including the Office of Planning and Sustainability, Information Technology, Parks and Recreation, Fire/Rescue, etc. and on enterprise fund projects. In some cases, enterprise projects are some of the largest projects spanning the whole five years of the program.

Appendix B includes a more detailed breakdown. The chart breaks out each individual project and tells where the funding is coming from. As an example, the 2011 flatbed truck replacement is coming out of the Parking Receipts Reserved Fund. Each fiscal year has a breakdown showing where funding comes from.

Appendix C shows the CIP2 form for each project with a description of the project and the reason for the project.

Some are continuations of projects they have been working on for several years, such as the upgrade to the sewage treatment plant and a review of city and school buildings as part of a project around climate resiliency, namely, a facilities assessment for greenhouse gas emissions.

As part of the city's efforts to become carbon neutral, he issued an executive order several years

ago calling for assessing all city's buildings for greenhouse gas emissions. Over 2022 and 2023, assessments of the JFK Middle School, Ryan Road Elementary School, Leeds Elementary School, etc., will take place. Associated projects range from replacing critical HVAC components to securing the building envelope by roof replacement, repairs to windows and chimney repairs.

While city officials focus on the operating budget, it is important they also focus on maintaining the city's capital infrastructure which is critical for carrying out the operating mission of the city, Mayor Narkewicz asserted. The capital plan is an important tool for making sure they are constantly assessing their infrastructure and planning for future investments.

He thanked department heads and staff for submitting narratives and helping to formulate the program and Finance Director Susan Wright for her work on her 10<sup>th</sup> and final CIP.

Significant projects across a lot of different departments are intended, among other things, to preserve open space, work on rail-trail networks, fulfill the city's commitment to sustainability, fulfill its commitment to the schools and making sure children are learning in sound buildings with good facilities, and provide modern, functional equipment to city employees so the city ultimately is not spending thousands of dollars trying to keep vehicles and equipment repaired.

He would ask the City Council to adopt the program, he concluded.

Councilor Sciarra opened the floor to public comment, offering to entertain comments in favor of the CIP.

Mayor Narkewicz clarified this is not an actual spending or borrowing order, it is a planning document. Actual spending or borrowing to fund projects will come later. What the council is voting on tonight is really a planning document and does not authorize borrowing or spending.

Councilor Sciarra asked if anyone wished to speak in opposition. Hearing none, she opened the floor to questions from councilors.

Councilors asked questions and offered comments. Councilor Jarrett said he really appreciates seeing the energy efficiency improvements. He noted the program proposes replacement of a boiler in one of the school buildings and specifies they are looking at heat pumps. The narrative for the Smith Vocational boiler does not mention energy-efficient options. He asked if they are thinking about alternatives there as well.

Mayor Narkewicz said he believes they will be looking at alternatives. He acknowledged the narratives are slightly different. They don't have a shared facilities department for Smith Voke but certainly they will be working with them and talking about energy-efficient and all electric alternatives. They have more of an immediate problem with one of their boilers that they're trying to address. They did do an energy analysis for Smith Voke as part of the ConEdison evaluation so that will be part of their analysis as well.

Regarding lighting, Councilor Jarrett noted that they have guidelines for outdoor lighting. When upgrading indoor lighting, he asked if thought is given to public health recommendations around the color temperature of the lighting.

They definitely focus on that for indoor lighting as well, Mayor Narkewicz confirmed. Outdoor lighting was dark-sky rated and they tried to follow AMA guidance. As part of LED replacement they will make sure they are using the most up to date standards, including the right temperature and tone of lighting.

Moving on to planning and sustainability, Councilor Jarrett asked about money earmarked for multi-use trails. He said he knows many of these need to be resurfaced. He doesn't think enough is allocated for that. He asked if grants can be leveraged for repairs. He expressed his understanding that grants could often only be used for establishing new trails rather than ongoing maintenance.

They do look at the condition of the trails and have gone back and done some repairs to some of their oldest trails. These are also now CPA eligible projects. They definitely are monitoring the age and condition of the rail trails and making investments, he assured. They did some sections

of the trail near Earl Street where they had some heaving and damage.

Councilor Jarrett referred to the big ticket item, namely, \$6 million for radio communications upgrade, and asked about \$3 million listed as 'other.' He asked the mayor to describe the project.

This has been a long, slow-developing project funded in the capital plan two or three years ago, Mayor Narkewicz related. They have a lot of aging radio equipment as well as aging networks and systems. The system includes Police, Dispatch, Central Services, Fire/Rescue, schools, etc. As they are looking at investing and changing radios, they are finding dead spots in many areas, including the school buildings.

The earlier capital plan basically commissioned a study. The study recommended a series of investments in equipment and communication towers. The project estimate is \$6 million but it is actually going to be broken up into \$3 million over two years and will probably be borrowed. The bids for the project have been received but not opened yet. He thinks they will have a clearer understanding of the costs when they are bringing forth orders. The other \$3 million reflects that the investments are being broken up.

Councilor Jarrett said he noticed the parking department is using electric vehicles and the building department is using hybrid vehicles. He wondered if electric vehicles would be appropriate for the building department as well.

The building department puts a lot of miles on their vehicles, Mayor Narkewicz said. They used to have big SUV-type vehicles. The Building Commission and building inspectors often have to respond 24/7.

They have moved towards Subaru's because they are more fuel efficient and have all wheel drive capability. Also, inspectors carry equipment. They have transitioned from SUV's. They like the Subaru's at this point but he could certainly see them moving toward all electric at some point in the future.

About sidewalks and traffic calming, last year, they didn't allocate anything directly in the capital plan, although he knows it was part of some projects, Councilor Jarrett said. He was wondering if that means there is more deferred maintenance and more might be needed there.

They took a break last year because they felt they could, Mayor Narkewicz confirmed. They did do traffic calming projects this year. North Farms Road was an example where they did some installations using traffic-calming money. He doesn't think they've fallen behind. They are restoring the commitment to it this year and going forward. He doesn't think they need to double it this year because they fell behind. It's true projects were a little bit less this year because of the pandemic. He thinks they have sufficient funding in there to handle all the different projects that will be happening.

Councilor LaBarge mentioned the situation at the Ryan Road School where teachers brought to her attention that a small bathroom in the nurse's office was being used for a couple of children in wheelchairs who needed a Hoyer lift. Two staff are needed for the safety of the child and staff. She asked Superintendent Provost and he said they had applied for \$40,000 for capital improvements. She asked if he had an update on that project.

Mayor Narkewicz said he knows they talked about this last year. School administrators have been looking at this along with other projects. Initial engineering and design work estimated the cost as over \$200,000 because of substantial renovations needed to plumbing and removal of masonry walls. It didn't make the program that year and the schools have not resubmitted it. The schools have been in a different posture this year, being closed. They did not resubmit it, so he doesn't know the status of the project.


There being no further comments, Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing closed at 9:20 p.m.

<p><u>consider FY 2022 Water and Sewer Rates</u></p>	<p>Councilor Jarrett moved to open the public hearing. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote. The hearing opened at 9:21 p.m.</p> <p>The order before them would essentially maintain water and sewer rates at the FY2021 level, Mayor Narkewicz presented. He deferred to Director LaScaleia for background.</p> <p>The DPW has forecast and analyzed personnel and operating expenses, capital expenses and proposed capital projects, inclusive of existing anticipated debt service in the water and sewer enterprises, as part of the FY22 budgeting process, Director LaScaleia reported. Their analyses and recommendations are predicated on maintaining a commitment to consistent and adequate investment in infrastructure, maintaining adequate stabilization balances and insuring long-term rate stability.</p> <p>For the water enterprise, the DPW is responsible for operating, maintaining and improving 160 miles of water mains, including two transmission mains, Director LaScaleia presented. They operate, maintain and improve a 6.5 million gallon per day water treatment plant, three active surface water reservoirs and dams, two active wells, two pump stations, the 200,000-gallon Audubon Road storage tank, a corrosion control facility and over 3,000 acres of watershed land. All operations are closely monitored and regulated by the Environmental Protection Agency (EPA) at the federal level and the Massachusetts Department of Environmental Protection (MassDEP) at the state level.</p> <p>The DPW has requested \$4.5 million to continue water line replacement in locations that were identified in the 2013 Water Asset Management plan, including Atwood Drive, Winter Street - where they have had two catastrophic water main breaks in five years - the Masonic Street parking lot, Damon Road and North King Street. Damon Road and North King both include non-participating Transportation Infrastructure Program (TIP) work, meaning it is city funded. The proposed Main Street reconstruction, which is currently slated for FY2025, requires extensive non-TIP work totaling \$2.5 million. The city has two water mains running down Main Street from 1871 and 1914 so they can't engage in any reconstruction of Main Street without dealing with some very aged water infrastructure there. They have also requested \$14.1 million to fund drinking water reservoir and dam spillway repairs and relocation of a water transmission main from 1901 which runs cross country through a swamp into the city.</p> <p>In FY2022, debt service in the water enterprise fund will be nearly \$2 million, representing more than 30% of total revenue, as a result of a \$25.8 million bond issuance for construction of the water treatment plant in 2006 that doesn't clear the debt schedule until FY 2028. The level of existing debt service does not allow for the assumption of additional debt to support remedying the currently known infrastructure deficiencies, many of which were just mentioned.</p> <p>The pandemic has disrupted water consumption levels with revenue down roughly 6%. Given the difficult economic environment in which they are operating, they are recommending water rates be unchanged for FY2022 with the caveat that they will need to continue to carefully manage the enterprise and carefully manage capital projects given continuing capital demands.</p> <p>For the sewer enterprise, the city operates, maintains and improves more than 110 miles of sewer lines, seven pump stations and a 15-million gallon per day waste water treatment plant (WWTP). As with water, all of their operations are closely monitored and regulated by the EPA and MassDEP. They have requested \$4.3 million through FY2026 for sewer line replacement. This funding will most immediately support the reconstruction of the Masonic Street parking lot cross-country sewer main which serves many Main Street residents and businesses and is in very poor condition. At the WWTP, in 2017 and 2018 projects were completed there to replace sludge pumps and to convert the plant's effluent disinfection process from chlorine gas to sodium hypochlorite. These projects together represent an investment of more than a million dollars. As required by Mass. general law, the city obtained an owner's project manager (OPM) and designer for the next phase of upgrades, which focus on upgrading the plant's electrical power, emergency power and treatment processes. The contract for these services totals about \$2.5 million. In June of 2020, they signed a construction contract for more than \$10 million, and work on these upgrades is ongoing now. Funds for this project were borrowed through the Massachusetts Clean Water Trust and in FY2023, they will see debt service in this enterprise swell to a million dollars. They have requested \$12.2 million over the next five years for design of the next phase of WWTP upgrades and upgrades of remote pumping stations. Based on</p>
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	<p>planning, they anticipate more than \$50 million in needed funds to support future capital projects beyond FY2026 for both treatment and collection. As in water, COVID-19 has disrupted consumption levels, and revenue is down 8% over the last eight months. Given the difficult environment in which they are operating, they are recommending that rates be unchanged for FY2022. Again, this will require them to continue to carefully manage this enterprise and carefully execute and plan capital projects.</p> <p>Councilor Sciarra opened the floor to public comment.</p> <p>Members asked questions and offered comments.</p> <p>Councilors Maiore, LaBarge and Jarrett all expressed appreciation for hearing that water and sewer rates would not be increasing. Councilor Jarrett took the opportunity to ask the director if the city's water and sewer infrastructure is prepared to handle additional homes that may result from proposed zoning changes.</p> <p>Director LaScaleia said the DPW reviews plans received on a case-by-case basis. If the question is about capacity in a certain neighborhood in a certain area on a certain street, the DPW would have to review the project to see if it is possible to maintain fire flows and for existing infrastructure to accommodate the addition. Any time development is proposed anywhere, they have a review process they go through.</p> <p>Councilor Jarrett noted that a lot of development is a house here and a house there.</p> <p>Generally, what he describes is not problematic for their infrastructure but, again, it's something they review on a case by case basis, the director reiterated. The addition of multiple units is something they have to look at more closely than a single house, but a lot depends on where it is in the system. There are a lot of factors that go into whether it could potentially be a problem for them but generally it's not.</p> <p>There being no further comments, Councilor Dwight moved to close the hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was closed at 9:38 p.m.</p>
<p><u>I</u> <b><u>Updates from Council President/ Committee Chairs</u></b></p>	<p><b><u>Updates from Council President and Committee Chairs</u></b></p> <p>The City Council received the Northampton Policing Review Commission's (NPRC's) final report this afternoon, Councilor Sciarra announced. A special joint meeting with the mayor and full commission for presentation of the report has been scheduled for Tuesday, March 30th at 6 p.m. She is deeply grateful for the time that has gone into writing this report and is looking forward to taking the time to carefully read it. The report will be posted to the city website on the NPRC page under boards and committees.</p> <p>The City Services Committee will hold its next regular meeting on Monday, April 5th at 4 p.m., Councilor LaBarge reminded. In addition to taking up two reappointments to the Planning Board, members will be having a general conversation with Mayor Narkewicz about his selection and appointment process for volunteer boards and committees.</p>
<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p>	<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p> <p>Councilor Foster said she wanted to take a moment to acknowledge the Asian American community living in Northampton following the hate crimes yesterday in Georgia. It has been a year of increasing xenophobic activities targeted at Asian Americans living in the United States. "We like to think it's an outside problem but it's in Northampton as well." There will be a vigil sponsored by the women's march tomorrow at Pulaski Park at 6 p.m. Thursday, March 25<sup>th</sup> will be a statewide Town Hall from 6 to 7:30 p.m. at which the Asian American caucus will share its efforts to combat anti-Asian racism. It is an opportunity for all people to hear what is being Asian led and to sign on as allies. She said she would share a link on her Facebook page.</p> <p>Councilor Maiore said she appreciated Councilor Foster's comment and the public comment received tonight and wanted to take a moment as well to be faithful to the resolution passed last year denouncing anti-Asian, anti-Asian American and Xenophobic discrimination. The resolution</p>

calls on the community to condemn and denounce all manifestations of anti-Asian sentiment and xenophobia and to show solidarity with Asian American family, friends and community members. The horrific murders of eight people in Atlanta, the majority of whom were Asian American and women, were no doubt outrageous acts of misogyny and hate. Sadly, all of this is part of a significant rise in anti-Asian American hate crimes. To their Asian and Pacific Island community members, she is confident she speaks for the entire council in saying their hearts are with them and they unequivocally stand with them.

<u>Communications and Proclamations from the Mayor</u>	<u>Communications and Proclamations from the Mayor</u> None.
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<u>Resolutions</u> <u>21.201 Resolution in Opposition to State Incentives for Biomass Plants-2nd reading</u>	<p><u>Resolutions</u> <u>21.201 A Resolution in Opposition to State Incentives for Biomass Plants – 2nd reading</u> Councilor Dwight moved to approve the resolution in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>The following resolution passed two readings:</u></p> <div style="text-align: center;">  <p><b>City of Northampton</b> MASSACHUSETTS</p> <p><i>In the City Council, March 4, 2021</i></p> <p>Upon the Recommendation of:     Councilor Alex Jarrett                                                            Councilor Rachel Maiore                                                            Northampton Energy and Sustainability Commission</p> <p><b>R-21.201</b> <b>A RESOLUTION IN OPPOSITION TO STATE INCENTIVES FOR BIOMASS PLANTS</b></p> <p>WHEREAS,     the City of Northampton is committed to ensuring and safeguarding the health, safety, and environment of the residents of our community; and</p> <p>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</p> <p>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</p> <p>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</p> <p>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</p> <p>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</p> </div>
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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 the Springfield City Council, 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.

Passed two readings and enrolled.

21.207 Resolution Decriminalizing Controlled Substance Possession as well as Cultivation and Distribution of Psychedelic Plants - 1st reading

21.207 A Resolution Decriminalizing Controlled Substance Possession as well as Cultivation and Distribution of Psychedelic Plants - 1st reading

Councilor Dwight read the resolution.

Councilor Dwight deferred to the resolution’s principal author, Councilor Maiore.

Councilor Maiore thanked the residents who brought this to their attention, Dan Bensonoff and James Davis of Bay State for Natural Medicine. Northampton, like cities across the country, is in the process of examining and reimagining its public safety system, so she thinks it’s the ideal time to finally cast off the burden of the drug policy of the war on drugs that offers nothing toward their health, safety or community wellbeing but by design disproportionately harms people of color, people of limited financial means and other marginalized and targeted communities. To her, this is a racial justice issue. Black Americans make up only 15% of drug users in the U.S. but account for 37% of those arrested for drug offenses. Black defendants will serve on average the same amount of time for federal drug offenses that white defendants do for violent crimes. Of those in federal prison for drug-related offenses, nearly 80% are black or Latinx. It’s time to discard what’s not working and lead with what is, therapeutic and harm reduction programs that treat drug use as the public health problem that it is. Decriminalization actually eases the load of law enforcement. Portugal, which decriminalized in 2000, has seen no surge of drug use while the number of people being treated for drug addiction rose 20%.

What if here they used their resources for drug treatment instead of providing for jail cells? She asked rhetorically. It’s time to get out of the way of breakthrough drug treatments currently made inaccessible through the criminalization of psychedelic plant therapies. Many veteran’s organizations support their study and legalization. A 2017 study of 44,000 Americans found that psychedelic use was associated with a 40% reduction in opioid use. A November 2020 study in the Journal of the AMA study found 1 in 3 patients put their major depression in remission after only two psilocybin therapeutic sessions. Drugs like psilocybin are in a Catch 22 because they are classified as Schedule 1 drugs because they allegedly have no acceptable medical use but Schedule 1 status means researchers are prevented from fully investigating psilocybin for its

medical therapeutic value. She shared a quote from Vermont representative Brian Cina, including, "It's long past time we allow science and lived experience experts to lead on substance abuse disorder."

Councilor Dwight said he is grateful to Councilor Maiore for approaching him on this so he could include this in his swan song package. This is an issue close to his heart. For years, he has been studying the development and creation of drug laws and this culture's understanding and approach to drugs. He has a sense of context that's frequently missing. The fact is that all of them seek out mind-altering behavior. As kids, spinning around in a circle multiple times just to get dizzy is something they do and, for the most part, historically this isn't something [society] tries to manage and control. The management and control of drugs and, in fact, all drug laws in the United States, including originally the alcohol prohibition, were predicated on racism; they were based and built and argued and debated and moved forward on racism. Subsequently, the nation's involvement in drugs was dependent on which area of the world troops were embedded. The 'golden triangle' gave them the heroin epidemic during the Vietnam War because troops were in the golden triangle. Cocaine was connected directly to their adventures in South America overthrowing democratically-elected governments. It's always been politic. Marijuana prohibition was literally argued on the Senate floor with overt, unabashed racist testimony. Alcohol and tobacco are drugs. They are allowed, yet they are also the two most lethal drugs that can be consumed. Psychoactive drugs by and large do not kill you; in fact, they have benefits. He recommended reading Michael Pollan's book 'Changing your Mind.'

Psilocybin and peyote are all directly linked with indigenous peoples who use it for their religion. They need to understand that punitive measures to deal with these mind-altering substances clearly do not work. It creates a criminal industry that is the best free market around. It is a profound perverse distortion that results in the destruction - the systematic and systemic destruction - of hundreds and thousands and millions of people that is allowed to flourish because they've created this functional and oppressive structure and response.

This is a resolution. The City Council doesn't have the authority to direct the police department to adhere to these policies. They cannot create a law in this respect, they are trumped by state and federal laws. But as they all noted, the legalization of marijuana, which was trumpeted as being the signalization of the end times, was not realized.

Behaviors committed while under the influence, i.e. - driving, violence and abuse, etc., are actionable. The mere possession and consumption of alcohol is not. Psychoactive drugs in particular were in the process of being studied and analyzed for their efficacy of any number of identified psychological disorders. That was all arrested; that was all stopped. In fact, the federal government made it against the law to study the impacts and effects of any of these drugs.

The hope is that there will be a cultural shift. This resolution is an appeal for a cultural shift, an understanding of how they can best treat and respect each other and diminish the pressures this 1) puts on law enforcement, and 2) puts on communities that have experienced a great imbalance in enforcement. "If we're going to continue to lobby for the things we say we care about. . . we have to understand that we need some serious work and some serious movement to. . . become more enlightened about how we treat the use and consumption and distribution of these very varied items." The fact that marijuana was scheduled along with methamphetamine was patently absurd, he asserted.

He's really grateful this is being advanced and really grateful to actually send this off. He hopes the house bills start to come out of committee and be engaged, discussed and voted on and that, barring that, a referendum is put on. He really hopes they can get people to back them up on this.

Councilor Nash thanked the sponsors for taking the lead. Clearly, they are the folks better equipped to sponsor this with their knowledge and expertise. It's been an education for him. He is completely on board with supporting this tonight. He thanked the sponsors and two constituents.

Councilor Jarrett thanked the sponsors for taking it up. The constituents also asked him to work on it but he didn't have the time. The war on drugs is definitely a failed approach and very much a failed public health approach.

Councilor Quinlan echoed his colleagues' thoughts. When he read the resolution there was so much there he agreed with. There was a little bit of a queasy feeling about leaving this to the discretion of the police to enforce. He's not sure it's fair to the police to charge them with enforcing laws but then to say not all of them. That said, he is in support and thinks legalization is a great idea, particularly for medical use. He believes that three to five years down the road doctors will be prescribing these non-addictive medicines for people's relief.

Councilor LaBarge thanked sponsors and said she agrees with everything heard. She fully supports this resolution 100%. Using what's described here, plants have helped many people with different kinds of medical problems. She is happy to see this as a resolution and would love to see it go to the state house. "Let's make it happen."

Councilor Thorpe thanked the sponsors and Dan Bensonoff. He had a nice conversation with him and he provided a lot of information. He explained to Dan that, with his employment and his employer, he probably would abstain from this and he will be abstaining, he confirmed.

Councilor Quinlan suggested two small technical amendments. The act to establish a task force is H3829, not HD3439 and the resolution should reference the Hampshire County district attorney (DA) instead of Hampden.

Councilor Dwight accepted both as friendly amendments. Councilor Maiore said she had a friendly amendment herself. Sponsors are not proposing to send a copy to DA Sullivan or the Northampton police and she believes they should. Councilor Dwight asked the administrative assistant to add Northwestern District Attorney David Sullivan and Police Chief Jody Kasper to the list of recipients.

Northampton has been in the forefront of harm reduction for the Commonwealth for over two and a half decades, Councilor Dwight noted. He cited the needle exchange program as an example.

Councilor Sciarra thanked sponsors and said she supports harm reduction strategies in general and strongly agrees it is a racial and social justice issue. She appreciates Councilor Dwight's call for a cultural shift. The statistics Councilor Maiore cited about the positive therapeutic impacts substances can have on depression, opioid addiction, etc. are really quite remarkable and quite hopeful. She appreciated one speaker noting that these are substances indigenous people have used forever and that should be remembered and recognized.

The other friendly amendment is to change 'adults' to 'individuals' in every occurrence. That was the language in the state bill but if they are asking police to make it a low priority for enforcement they can't ask them to determine someone's age.

Members agreed to bundle the amendments for voting purposes.

Councilor Maiore moved to approve the amendments as proposed. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Sciarra wondered if the resolution was checked by Northampton's city solicitor since the resolution says Cambridge and Somerville passed resolutions following approval of their legal departments.

Cambridge and Somerville have different structures of government so they can actually create policy for the police department, so it required being vetted because it was enacting law or policy, Councilor Dwight pointed out. That's not the case here. However, he said he has no problem referring it to the city solicitor in the intervening two weeks.

The resolution as amended passed unanimously 8:0 by roll call vote with one abstention (Councilor Thorpe).

See minutes of April 1, 2021 for second reading.

21.208 Resolution  
to Adopt the

21.208 A Resolution to Adopt the Capital Improvement Program for FY2022-FY2026

<p><u>Capital Improvement Program for FY2022-FY2026 Submitted to City Council on February 24, 2021 - 1st reading</u></p>	<p><u>Submitted to City Council on February 24, 2021 - 1st reading</u>                  Councilor Sciarra read the resolution.</p> <p>Councilor Dwight reminded folks it is a plan, not a budget. It is a long-term plan that evolves over the years. It provides a road marker, if you will, and lays out issues needing to be addressed down the line.</p> <p>Councilor Quinlan moved to approve the resolution in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>See minutes of April 1, 2021 for second reading.</u></p>
<p><u>21.209 Resolution Expressing Gratitude to Northampton Health Department, First Responders, Ancillary Staff and Volunteers for Efforts to Vaccinate Our Community - 1st reading</u></p>	<p><u>21.209 A Resolution Expressing Gratitude to Northampton Health Department, First Responders, Ancillary Staff and Volunteers for Efforts to Vaccinate Our Community - 1st reading</u>                  Councilor Sciarra read.</p> <p>Councilor Dwight moved to approve the resolution in first reading. Councilor Quinlan seconded.</p> <p>When she and her husband got their first shot, they were talking to fire department members and they were telling them how they work four on and three off and not on city time, Councilor LaBarge related. It is just amazing how well the Mayor, Board of Health Director Merridith O'Leary and her entire team have the entire senior center running so smoothly. Many people she knows who went to have their vaccines there were very, very happy. The health director has done an incredible job. On Facebook, many people were upset when the website came down. It wasn't her fault at all but she still continued making it a safe, smooth road for everyone. Many, many volunteers were there to save many, many lives. Yes, they did lose some in their city and also some veterans. She thanked co-sponsors Councilors Sciarra and Quinlan. To her, it is a huge shout out to those who have worked together saving lives.</p> <p>The two other sponsors (Councilor Quinlan and Councilor Sciarra) and Councilors Foster, Dwight, Jarrett and Maire spoke in support of the resolution and in praise of the health department's operation of the vaccination and testing programs.</p> <p>The motion passed unanimously 9:0 by roll call vote.</p> <p><u>See minutes of April 1, 2021 for second reading.</u></p>
<p><u>Brief Recess</u></p>	<p>The City Council recessed briefly at 10:43 p.m. The City Council reconvened at 10:50 p.m.</p>
<p><u>FY2020 Independent Audit</u></p>	<p><u>FY2020 Independent Audit</u>                  Presentation by Scanlon and Associates, LLC (Thomas J. Scanlon, CPA)</p> <p>The audit went very well, Mr. Scanlon reported. Needless to say, it was kind of a difficult year; trying times. Auditors tried to remain focused with the same consistency as in all of the prior years. He thanked the staff in the city. It put a lot of pressure on them because they did a hybrid of half-remote, half-onsite where they are usually on site pulling their own invoices.</p> <p>He referred to three separate reports: the FY2020 Management Letter, the Single Audit Report and the Report on the Examination of Basic Financial Statements.</p> <p>Since it is a financial audit, people expect its sole purpose to be to find fraud, but that's not the sole purpose. One of the main objectives is to opine on the city's financial statements, Mr. Scanlon explained. They use a risk-based assessment of the city's financial statements to design their audit procedures.</p> <p>The city has significant internal controls over its major financial areas such as cash receivables, he confirmed. One of the controls is that they balance out the real estate and personal property accounts receivable to the general ledger on a monthly basis. From a firm approach, his company puts a lot of emphasis on bank reconciliations and accounts receivable reconciliations.</p>

They deem those areas substantial and do a lot more detailed procedures in those areas.

The city received a clean audit opinion (pg. 3 and 4), which is what bond companies will look at, so it will result in a good bond rating. The city should be commended for that.

The city's financial policies are working, he continued. He drew attention to pages 18 and 19, the city's fund financial statements. This is what councilors can relate to as management. It shows where Free Cash is coming from.

The Unassigned Fund Balance of \$23 million represents the balance of Free Cash and the stabilization funds. It's a key number bond rating agencies look at as representing the financial health of the city from a current perspective approach.

Free Cash was certified at \$5.7 million in 2020 and the city has approximately \$15 million in its four stabilization funds. So, "your financial policies are working; you're building up reserves," he opined.

Also, on page 19, they'll see that the city's general fund increased \$2.7 million. That's another component bond rating agencies will look at to show that the city's financial policies are working. The city has \$52 million in the general fund.

From there, looking at bank reconciliations and the accounts receivable, auditors can see that the city has \$1.5 million outstanding in real estate property taxes as of June 30, 2020. Auditors will make sure that the collector is keeping detailed records and that they match the general ledger. "The controls over your significant areas are definitely working," he pronounced.

Page 22 shows where the Free Cash of \$5.7 million came from. \$464,000 is from receipts and \$2.7 million are turnbacks of appropriations. The budget generated about \$3.7 million of the \$5.7 million Free Cash. It was kind of an unusual year. He's seeing that communities are taking a hit on the revenue side and that Free Cash is coming back from returns of appropriations. He expressed the opinion that FY2021 will be the big year for downturns due to COVID. "That's where you want your sound financial policies really working for you," he suggested.

Councilor Jarrett asked about Other Post-Employment Benefits (OPEB), something the Massachusetts Municipal Association (MMA) flags as something that can be a very significant liability for them in the future. He expressed his understanding that municipalities haven't funded these fully yet. He asked how Northampton is doing in terms of getting to where it needs to be.

Page 16 is considered the entity-wide statements. Government is very unique; it actually has two sets of financial statements: full accrual which is entity-wide and fund financials. On the entity-wide statements, OPEB liabilities are shown under Net Position. The unrestricted line item is \$180 million in deficit. "You really don't want to see deficits in your net position." The main drivers of that is shown under 'Liabilities' as \$125 million in Net OPEB Liability.

The city did adopt an OPEB trust and, as of June 30<sup>th</sup>, it had \$2.5 million. The two are quite wide apart compared to the liability. He always tells people that OPEB should be long-term thinking in that it should be in their thought process in developing future budgets.

Every time the city hires someone there is a hard cost in money going out but there is also a promise made to the employee that the city is going to pay their health insurance when they retire. That's what this is tracking. The only way for the OPEB liability to go down is through the expiration of people. It's really the long-term thinking of putting money away now to factor into the future. He referred to a town out east that actually has one position with eight health insurance costs associated with it because it has seven retirees and one active. One position is causing eight costs of health insurance. He wouldn't get too focused on the \$125 million but more on the long-term thinking, he advised.

Councilor LaBarge quoted from "Basis for Qualified Opinion on Coronavirus Relief Fund (CFDA No. 21.109)" on pg. 5 of the "Independent Auditors' Reports Pursuant to Governmental Auditing Standards and Uniform Guidance," as follows:

*"As described in the accompanying schedule of findings and questioned costs, the City of*

*Northampton, Massachusetts, did not comply with requirements regarding CFDA No. 21.109, Coronavirus Relief Fund, as described in finding number 2020-001 for allowable costs/cost principles. Compliance with such requirement is necessary, in our opinion, for the City of Northampton, Massachusetts, to comply with the requirements applicable to that program."*

She asked Mr. Scanlon to explain.

This is the single audit report required if a community expends over a certain amount in federal funds, Mr. Scanlon advised. The city received some CARES Act funding. It is a high risk program which is new. When auditors tested it, the city had some hazard pay in there and the hazard pay is disallowed under the CARES Act.

Since the program first came out, the rules have changed, he noted. It is a constantly changing environment which from an audit perspective and finance director perspective is very frustrating. The city had hazard pay but when they tested it, they felt it did not meet the definition of hazard pay. The City Council took a vote a couple of weeks ago to fund some expenses from Free Cash. The wording sounds scarier than it actually is but they did have a finding under the Single Audit Act for charging disallowed spending to the CARES Act funding.

The city has a letter with the decision from CARES Act administrators disallowing the hazard pay but they do admit in the letter that they gave them advice that it was allowed in the beginning, Director Wright said. When COVID is done, there will be expenses that are disallowed. The city will need to true up accounts because there will be things that FEMA and the CARES Act will reject. They're going on the best guidance they have at the time. What they're using as a guiding principle is whether they would incur the expense whether they were getting grant funds or not.

Mr. Scanlon confirmed it is a tough environment to operate in. Administrators have to make decisions based on the advice they have at the time. They have a generic finding in the management letter. The city does have controls in place to properly account for grants. It's really important to stick to the controls they have in place to get them through times like this. It's easy to override a control and say, hey, we're in a COVID environment. A lot of equipment is being purchased to do remote work and it is going to have to be inventoried.

What happens is the fraudsters come out. Cities and towns are receiving a lot of fraudulent claims for unemployment. They are getting invoices with fraud on there and they have to make sure they are getting credits back.

Councilor Nash expressed his understanding that what he is describing is that the city has been dealing with crisis and pressures but that it has really stuck to its guns and followed its procedures. Under circumstances like this, it is tempting to break the rules but the city has done a terrific job through all of this.

Mr. Scanlon agreed.

With audit reports, you don't give 'A's,' you give reports like, "there's nothing bad," Councilor Nash noted facetiously.

The management letter emphasized reviewing special revenue funds. Especially now, there are a lot of funds not being used, especially revolving funds. Programs may be suspended because of COVID. It may be a good time to review special revenue funds. He expressed his understanding that financial officers are going to start that this summer.

Councilor Nash congratulated Finance Director Wright on her 'A.'

21.212 An Order to Set Preliminary Municipal Election Date - 1st reading

21.212 An Order to Set Preliminary Municipal Election Date - 1st reading

With the consent of the council, Councilor Sciarra took agenda item #14B out of order.

She read the order.

Councilor LaBarge moved to approve the order in first reading. Councilor Foster seconded. The

motion passed unanimously 9:0 by roll call vote.

See minutes of April 1, 2021 for second reading.

Package of Zoning Amendments to Allow Two-Families by Right in All Residential Zoning Districts – 2nd reading

Package of Zoning Amendments to Allow Two-Families by Right in All Residential Zoning Districts – 2nd reading

Councilor Sciarra stated her intention to take this package of zoning ordinances out of order.

There being no objection, Councilor Dwight moved to approve the ordinances as a group in second reading. Councilor Jarrett seconded.

Councilor Dwight noted that the raft of public comment at the beginning of the meeting focused on points brought up by Bill Ryan. The comments covered the breadth of all zoning issues but he asked if she could frame the discussion in that light.

Taking a step back, Ms. Misch referred to the package of changes above and beyond the two-family package. The multi-pronged approach is all about different strategies to encourage housing to meet the needs at different levels. In total, they are talking about strategies to meet attainable housing. One is about two-family housing, another deals specifically with affordable housing and with incentives for smaller units.

At the last meeting, she presented data on median home size and councilors asked about the mean house size and whether that had changed over time. Overall, the median single-family home is about 1,600 square feet (s.f.) while the mean house size is about 1,800 s.f. (1,779 s.f.)

For two-families, it is much smaller. Median unit size is estimated at 1,175 s.f. and mean slightly higher at 1,240 s.f.

They looked at the numbers for units built in the last 10 years, and they have gone up for single-family homes but not gone up much for two-families. The median is 2,160 s.f. and the mean is 2,300 s.f. for single-family homes. It does show an increase of a couple of hundred square feet. That relates to the conversation and concern about large units being built as part of the two-family proposal. "We're not really seeing that as a trend," she concluded.

Regarding other questions related to size, affordability and where units can be built, particularly relating to large-scale units being built in the backyards of properties, this concern is originating in the URB and URC districts where detached units are already allowed by site plan review, she pointed out. There was a comment that this is only allowed on properties which already have a single-family home. In reality, there are multiple ways to develop a property. Zoning allows two principal structures on a property and allows townhouses, which can be multiple structures on a property. There are still minimum open space and setback requirements in the context of all the districts. Where there is flexibility to have multiple structures on a property, those open space and setback requirements would be the constraining factor for where buildings could go and the scale of those buildings.

Since two detached structures are already allowed in URB and URC districts, what they are talking about is expanding this to URA, RR, SR and WSP districts. For the most part these will be opportunities for people who currently own homes to add a second unit. Right now, they have an accessory dwelling provision, but this adds more flexibility because instead of having the constraint of a 900 s.f. unit, it could be larger. It doesn't necessarily mean it will be larger.

Ms. Misch showed pictures of a detached structure and accessory dwelling unit that have already been built under the existing ordinance. She cited these as examples of how the zoning change would help property owners who already own homes in these districts.

She clarified that the ordinance is not intended to provide houses meeting the technical definition of 'affordable housing,' which is housing affordable to people earning 80% or less of the Area Median Income (AMI), but is part of an attainable housing strategy throughout the city. It is one way of providing an opportunity for lower cost housing for people.

Councilor Jarrett said he is getting a lot of questions from constituents specifically around an

element of URB zoning and the change which will occur in going from allowing “the addition of a principal structure to a parcel where one already exists” by site plan approval to allowing “two single-family dwellings per lot.”

He expressed his understanding that, if this is literally interpreted, it could mean there now has to be a principal structure there already before someone can build a second one while, under new zoning, someone will be allowed to build two single-family dwellings from scratch on an empty lot.

There isn't a change to the existing provisions in the zoning where someone could currently come in for site plan review and build two principal structures on a lot, Ms. Misch responded. That is allowed now. There is no change to the current condition. That is a misreading of how all the components fit together in the zoning to allow different variables, primarily in the URB and URC districts. Really, this is about adding the ability to create a second unit in the rest of the city where it's now only allowed in the URB and URC district unfettered as to size.

Councilor Jarrett asked her to walk him through how a developer would currently be allowed to build two principal structures on an empty lot. “Starting with a lot with nothing on it, how do you build two principal structures on a lot at once?” He asked. Where is that enabled?

They haven't really had too many of those proposals, Ms. Misch said. Usually, it is three or more units that come in at once. Further down, it says a developer can do townhouses or other multi-family dwellings of up to six units by site plan review. If someone were proposing that scenario, planners would say this is your path.

Townhouses do not have to all be attached, she confirmed.

Councilor Jarrett said he wants to be clear that they are not changing that for URB or URC; that is remaining the same. It is rightly very important to his constituents. He thanked her for the clarification,

Because these conditions exist already, Councilor Dwight asked if there has been a demonstrated land rush that has been projected or described or prophesied with developers buying up properties and madly developing.

No, Ms. Misch said. They've seen a few projects come forward very time. She referred to one on Hawley Street, the redevelopment of Shaw's Motel and a couple of others. Periodically, single-family home lots are also created.

Councilor Dwight noted that they are currently in a very super white hot market. One would presume this is the peak of the type of speculative development that people are very concerned about. Since there already is existing zoning for developers to come in and take advantage of, it doesn't sound like it is Filene's basement. These conversations are always driven with passions. Things that are beyond your control and are in your backyard would in anybody inspire concern and distress. He did want to know as of now, during this very active period of development if they are seeing any evidence of this

Councilor Foster said she wanted to lift up some of the concerns that she's heard about demolition of existing structures to allow larger structures in their place. She is sympathetic to the concerns around seeing some of those torn down and new larger structures put in. Most of the concerns heard today is around smaller houses coming down and bigger houses going up. She is wondering if there is anything in zoning to address that situation.

She sees how a package of zoning works together to create different opportunities. Is there any answer in zoning around the concern around tearing down existing structures? She asked.

She doesn't think they are in a position as a community that there is so much demand that it is more cost efficient to demolish a structure in order to build new units, Ms. Misch reflected. It is not a tear down craze. There are structures sometimes that need significant investment in order to make them livable and that becomes part of the calculation for anyone looking at a property. It is something they might look at in the future if it appears they are at a point that the demand for housing is so high and they're not meeting that demand. “I don't think we're there yet.”

Part of the issue that is driving up cost is not enough supply at different levels to meet demand. She is hopeful that allowing different ways for people to build houses addresses some of that demand and helps relieve some of that pressure.

### DISCUSSION

Members continued to ask questions and offer comments. Several councilors, in turn, expressed their reasons for supporting the package of amendments.

With regard to concerns about large structures in peoples' backyards, Councilor Dwight pointed out that nothing is going to happen to anyone's backyard unless they themselves change it or sell it. He has always said that every political conversation, everything they debate and deliberate, is a territorial conflict, the desire to manage and maintain that which one knows and is comfortable with and the dread of changes beyond one's control. His neighborhood has not changed significantly in terms of structures, he observed. It is former workforce housing for the railroad. His neighbor two doors down listed his house in the middle of a blizzard. There was a line down the street to go through it and it sold for \$50,000 over asking. It is partly COVID flight and partly really favorable interest rates. They're talking about trying to provide opportunities for housing at every level.

This zoning is a comprehensive package. When people debate it, they use terms that are malleable and not appropriate, such as 'affordable' and 'attainable.' They are talking about a comprehensive package that creates and provides opportunity for people who are currently excluded. Wealthy people have always been able to come here and buy.

They had the same fight some years back about changing the setback requirements to promote more development of ADU's and provide more affordability, he related. The comments were pretty much the same. There was concern about a massive land grab by rapacious developers. That's not what's happening and is not what's likely to happen. They know that there are fights to come. There will be the same types of concern. They are legitimate concerns.

There was a development built a few years ago that had tremendous resistance from the neighbors. Now, some of the new people are complaining about development near them. The issue is controlling and managing places we hold dear. It is his hope that they study this package in the context of the comprehensive package going through and that hopefully the other portions will be less controversial, he concluded.

Councilor Jarrett said he wanted to expand on the point he calls, 'Rich people win.' New moderately-sized homes are \$600,000 and older ones range from the mid-\$250's to \$500,000. Of the people who want to buy here, rich people win. It's absolutely not fair. There is extreme wealth inequality. It's logical that increasing supply will reduce demand, but demand is so much higher. There is also something of the 'signaling' effect in which people with money go somewhere and that attracts more people with money. The question is, does that overcome the supply and demand problem. In general, it's not shown to be true. It's generally people who can pay cash for the whole thing that are getting homes which is generally developers or people with money – rich people again. And developers will fix a home up and sell it for 5 or \$600,000.

The argument that zoning that prevents more housing would make housing more affordable doesn't hold true because of the extreme demand and who's getting the houses in bad shape, he suggested.

Second, some of them have won the lottery. Those of them who bought homes before the current rise in demand have houses worth more and it's not because they put more work into them. Also, zoning changes can make their properties more valuable. It's people who have won the lottery that are the most concerned. As homeowners, they have a role in this gentrification; it's not just developers. There are ways to put systems in place to create more permanently affordable things.

With regard to neighborhood character, it changes, he pointed out. Prior to zoning, more buildings were built close together because more people wanted to live in an area, so neighborhoods changed to reflect that need. People needed to live close together because most people didn't use cars. Then, zoning came along with larger lots and that stopped it. "I think what we're

trying to do in this whole package is to bring back the ability to have neighborhoods where we can meet our needs more locally" and in an updated fashion, he opined. Things they need to think about are how much they want to legislate and how much yard people want to have and whether attainable housing is worth it. He thinks so. Multi-family homes are cheaper to build than single-families so these will be attainable to people.

He thinks affordable housing is only going to come from subsidy or goodwill at this point. They have seen that subsidies at all levels of government are sorely lacking but subsidy is the only way to create affordable housing unless a homeowner builds a second unit and chooses to rent or sell it at an affordable price. The only other option is if fewer people want to live here, then prices would go down.

Lastly, does this zoning make for a more livable city? Are they so attached to large lot sizes that they'll never actually get to sufficient density to live without cars? He asked rhetorically. Urbanism makes a lot more sense to him than suburbanism. Even though it hurts each time a tree comes down, it's so much better than the suburban sprawl alternative. He believes that basic form is correct.

Piecing all this together, including how the URA and WSP zones are close enough to the downtowns in Northampton, Florence and Leeds that having more units there meets sustainability goals and that, in SR and RR, it meets affordability and energy efficiency goals, he thinks it's worth supporting these ordinances.

Councilor Nash said what he likes about this package is the range of options. They're really allowing for a lot of flexibility. They can only hope that by allowing smaller units, attached units and two families, they are actually going to end up with more affordability. He thinks that for families, these options are really great. It allows people to age in place and have children live on their properties. It takes all of their structures and makes them more flexible, and he thinks that in itself makes them very worthy. Based on that, he's going to support it.

Councilor Jarrett proposed an amendment. At his request, the administrative assistant screen-shared an amendment to 20.166, Section 4 Screening. Councilor Jarrett reviewed the proposed changes.

The Urban Forestry Commission has weighed in on this amendment and suggested some of the changes, he confirmed. UFC members prefer the three-inch (3") threshold. He and Ms. Misch agreed together on a five-inch (5") threshold, but he would certainly support a three-inch (3") threshold as well. The concern about the 3" is there could be a large number of three-inch trees. This proposal requires trees to be planted, if not on the property, than in the right-of-way nearby.

Councilor Jarrett moved the amendment as presented. Councilor Dwight seconded.

There was a lot of discussion about not being overly burdensome to property owners given that single-family home owners don't have any restrictions about cutting trees to install a deck or a pool, Ms. Misch volunteered.

She said she had a few other housekeeping items on other ordinances.

Councilor LaBarge voiced concern about dictating what people can and can't plant on their own property. She cited potential conflicts with trees, such as long driveways and trees planted near septic systems. A lot of people are saying they've had it with the city telling them what to do with their property, she reported.

In this case, they are allowing something that normally is not allowed (two-family housing) and so are asking not to have a net loss of trees, Councilor Jarrett responded. Given the city's climate goals and all the benefits trees provide in terms of shade and cooling, it's necessary to think about the long-term future of Northampton. He thinks this is a good compromise. If someone really isn't able to plant on the property, they have the option of planting on the street nearby.

This is sort of a relief valve to accommodate property owners who can't plant because they have a septic system or driveway in the way, so it addresses that, Ms. Misch confirmed.

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

Ms. Misch presented an amendment to 20.166, Section 611 a (1) related to the heating system being required to be fossil fuel free. She recommended striking the term 'building permit' and replacing it with 'site plan.' Also, to clarify what fossil-fuel free means, she proposed striking the phrase 'fossil-fuel free' and stating that 'all space heating must be powered by either wood, wind, solar or grid-sourced electricity.'

Councilor Dwight moved those amendments. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

Ms. Misch presented an amendment to 20.167 to delete the reference to detached accessory dwellings to clarify they are getting rid of this term throughout the tables of use.

Councilor Dwight so moved. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

**CAPPING SIZE OF SECOND UNIT TO 1,800 SQUARE FEET**

Councilor Maiore proposed an amendment exploring a size cap on the second unit to 1,800 s.f. in areas newly affected by the second unit.

The administrative assistant screen-shared the text of the amendment.

Councilor Maiore voiced her perception that the fear is a 3,000 s.f. second unit, and this would discourage that without preventing it by requiring a special permit for a unit over 1,800 s.f.

Councilor Maiore moved to amend. Councilor Jarrett seconded.

Councilor Jarrett asked Ms. Misch what the implications of requiring a special permit would be.

It would be difficult for the Planning Board to approve a special permit without a defined slate of criteria, Ms. Misch responded. A special permit creates potentially different voting requirements and allows the board to say no. Zoning does have some standard special permit review criteria but they don't speak specifically to this issue.

Councilor Jarrett asked her to describe the general special permit review criteria.

Ms. Misch reviewed the criteria, including protecting adjacent properties from serious detriments, promoting convenience and safety of vehicular and pedestrian movement to the site and on adjacent streets, harmonious relationship to existing structures and the natural landscape, etc.

To her, it does sound like there are some parameters for permitting, Councilor Maiore said. She said she doesn't know how Ms. Misch feels about the number. It sounds to her like kind of a clear guideline for the Planning Board.

Another criteria is that the project meets special criteria set forth for specific uses, Ms. Misch added.

Councilor Dwight said he gets the sense this is not something she's enthusiastic about. One criteria on special permit that seems to be most salient is whether it conforms to the neighborhood. Talk about 'amorphous,' he observed. Citing the Lumber Yard as an example, "It didn't look like the one-story white cinder block gas station so it didn't conform to the rest of the neighborhood," he noted. He asked if she could expand on her feelings about the suggestion.

From the beginning, they weren't recommending a cap of any kind, they were recommending lifting the 900 s.f. cap, Ms. Misch reminded. She thinks the ordinance would be fine. Given that they are not getting huge two-families, it would be a rarity that they would see a special permit application like that. It's not a deal breaker by any means. In general, they think pretty hard about setting a special permit threshold for any use because it does become a barrier for people just because of the ability of the board to say no. It could have some chilling effect, she acknowledged. She said she is not sure how often it would come up.

If he is hearing this is not particularly harmful or deleterious to any other dimension of the proposal, he's fine with it, Councilor Dwight concluded. He understands the reason this is being proposed is the expressed concerns of people who have suggested that is a possibility. "If they wanted to nail it shut, then let's do it," he proposed.

It comes up in the Leeds area where they have really large properties, Councilor Maiore shared. She said she doesn't want to actually make things more difficult. She is hoping it would be a rarity. She thinks in her ward it might actually come up. It's a fear. She thought if it wasn't too much of a detriment, it could add to this.

Councilor Nash said his one thought is why they don't just go for a hard cap rather than a special permit. His fear around a special permit is they are inviting a meeting where people are going to show up and "kind of handing the discussion off to the Planning Board. If we really don't want 3,000 square foot structures, let's create that cap."

He expressed the understanding that if they created a cap of 2,000 s.f., they could always lift it in the future. He voiced the perception that they couldn't go from unlimited to limited, but Ms. Misch said they could.

This is double the ADU size they're getting rid of and is just about the average single-family home size, Councilor Jarrett pointed out. Large buildings are likely not to be consistent with their resilience goals. He feels comfortable establishing this level of review and listening to people who are concerned about what might happen.

Councilor Foster said one of the requests that she has heard resoundingly is that they take a big picture approach. To her, this amendment makes sense looking at their climate goals and their goal to provide housing options that may be more financially in reach for people.

She thinks it's harder to revisit zoning in a reactionary way than to put in a limit in to begin with. That's an approach that she would feel more comfortable taking, she said.

There being no further discussion, the motion passed unanimously 9:0 by roll call vote.

The motion to approve the package of ordinances as amended passed unanimously 9:0 by roll call vote.

**The following ordinances passed two readings:**

**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

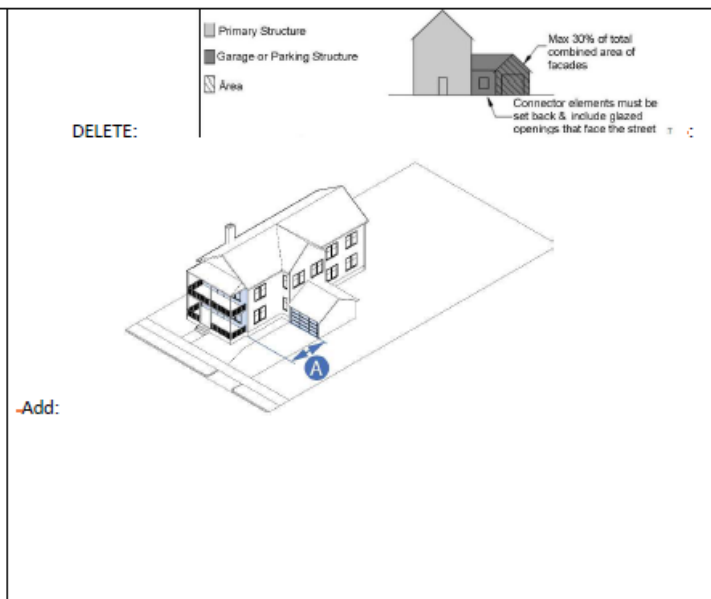
Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

**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:*

<p><del>1. If a garage or otherFor attached garages/ parking structure is that face the street-attached</del></p> <p><del>B., it must be set-stepped back 20'-10' from the house facade;</del></p> <p><del>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 facade by 20(A);</del></p> <p><del>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.</del></p> <p><del>C. The side setback may be 10' for the garage only when not used as a living area.</del></p> <p><del>See additional specific criteria for 2-family homes</del></p>	<p>DELETE:</p>  <p>ADD:</p>
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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

One of the dwellings not to exceed 1,800 square feet gross living area.

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

Two single-family dwellings per lot, both of the dwellings greater than 1,800 square feet gross living area each 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

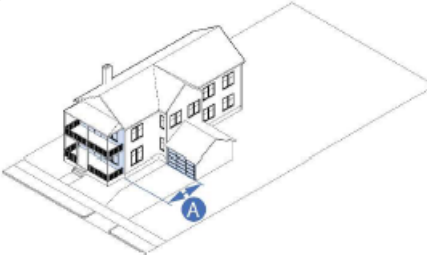
**20.165 An Ordinance Relative to Two-Family By Right - Amendment to URB-URC Tables of Use**

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 <del>for all uses. See additional form/layout requirements for two-family below in "Uses Allowed by Right".</del>
Lot Size <del>Single or Two family: 3,750 ft<sup>2</sup></del>  3+ units: 2,500 ft <sup>2</sup> minimum (min) per unit Frontage/Width = 50' Min. Depth = 75' Min.  <del>Detached accessory structure/garage/storage = 10' behind front of principal structure. 4' (side and rear lot line)</del>	
Design Standards Illustrated Planning Board may waive, by site plan approval elements 2, 3, 4 <del>below</del> 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. <del>If a</del>For attached garages/<del>or other parking structures that face the street, is attached; it must be set</del></p> <p>a) <del>The front face of the garage must be stepped back 10' from the house facade; and</del></p> <p>b) <del>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 facade by 20' (A).</del></p>	<p>DELETE:</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 40' or more from the front lot line.</p> <p>c) The side setback may be 10' for the garage only when not used as workshop/storage/living area etc.</p> <p>• See additional specific criteria for 2-family homes</p>	 <p>ADD:</p>
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**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 F<sup>2</sup> 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 ft<sup>2</sup>~~
- ~~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)

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.

that triggers Site Plan Review/  
special permit

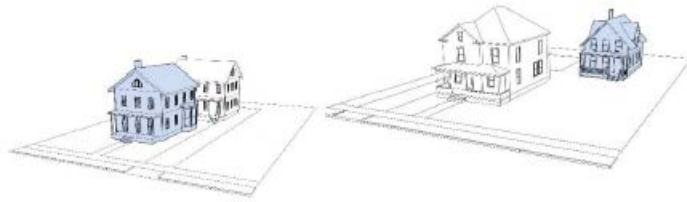
building permit application  
site plan

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

use on site-sourced or  
grid-sourced  
electricity



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



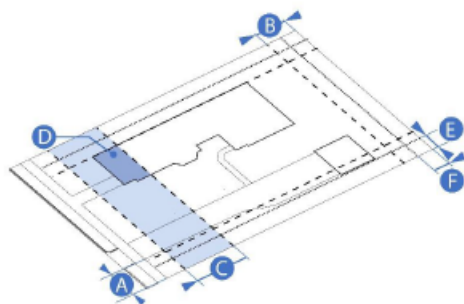
**B. Illustrative Examples.**

(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**

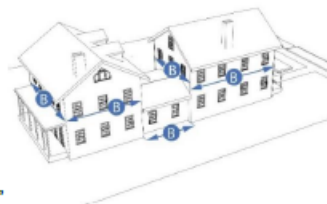
For two-family/two single family, in the URA, B, C zones, there is a minimum building occupancy in accordance with the following:



(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**

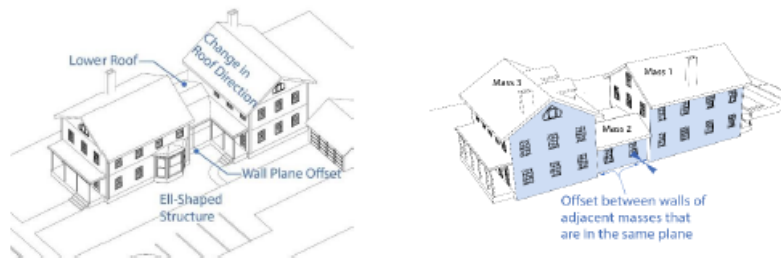


Maximum length of Massing is 50' "B"

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

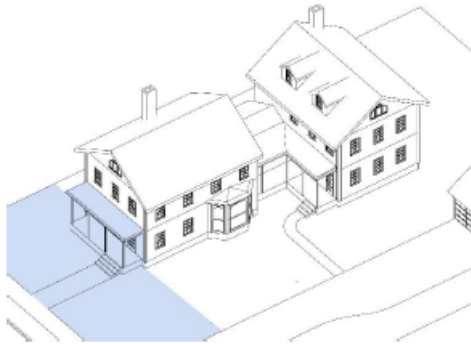
- (b) When a mass is attached to another mass, the masses must be designed with one or more of the following:
- (i) The roofs of adjacent masses run in different directions.
  - (ii) The roofs of adjacent masses that run in the same direction have at least a 2' difference in height.
  - (iii) Adjacent masses are arranged to create an EII or T shaped building. The leg of the EII 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

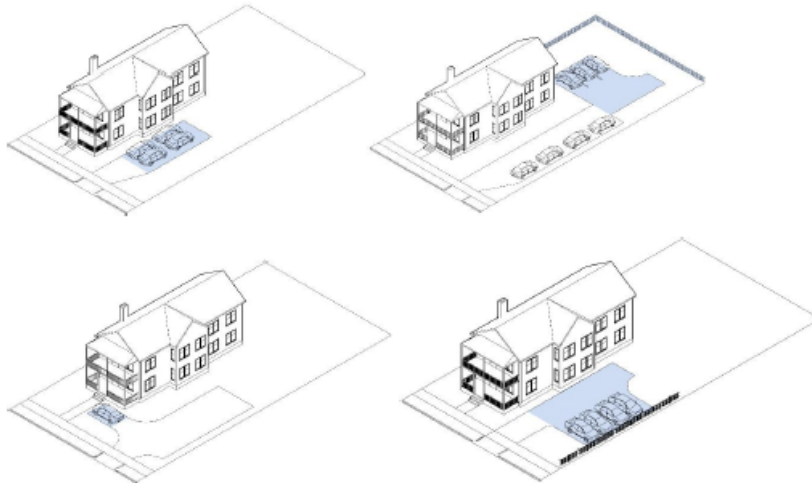
least 20' from the lot line unless other means to create a buffer/private outdoor space to adjoining properties are approved by the Planning Board. The entrance must meet the requirements for a covered front entry as described above.

**3) Parking/Garage Placement**

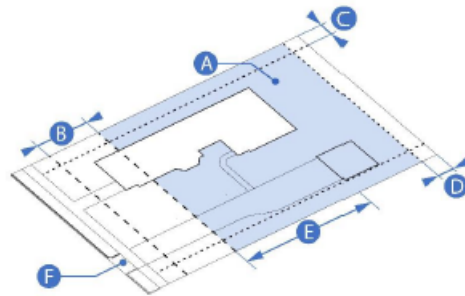
**a. General Parking**

- 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 <sup>E</sup>



- 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 <sup>5"</sup>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

The Planning Board may waive the total number of required trees to be planted on site if it finds that it is infeasible to replace all removed trees on site and when:

1. At least one 1" tree is planted on site; and
2. It is shown that even alternative ornamental trees could not be planted; and
3. Planting and spacing requirements for the replacement trees would be hindered by constraints of the lot in combination with the planned useable space of the lot; and
4. The remainder of the required 1" trees, in consultation with the City's Tree Warden, are planted on public property, with preference given to the public right-of-way as close to the site as feasible.

Refer to Ordinance and Planning Board

**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.


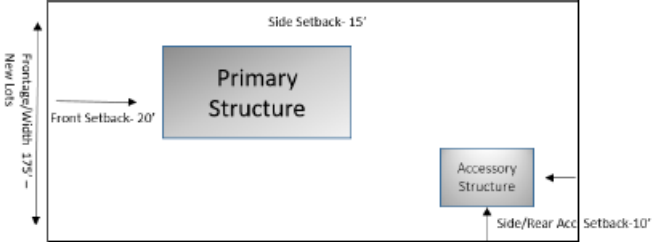

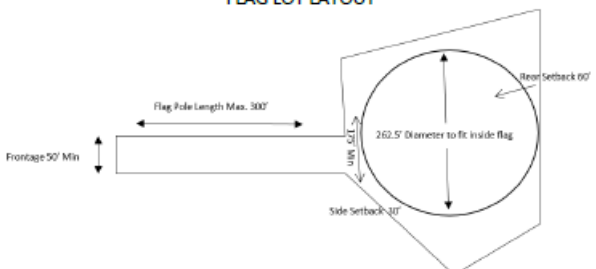
**ORDINANCE**

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*

12/15/2020

<b>WSP District (Water Supply Protection)</b>	
<p><b>Description:</b></p> <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>	<p><b>Example Uses/Structures</b></p> 
<p><b>Lot Dimension Requirements</b></p> <p><b>Lot Size- standard -</b>                      Existing House Lots: Lot size/ frontage/depth: Same as in existence on June 7, 2007, or 80,000 square feet &amp; 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.                      Open Space = 85% <span style="color: blue;">E</span>                      See Also §350-15.9</p> <p><b>Setbacks (accessory structures )*</b>                      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><b>Max Height= 35' (20' detached accessory)</b>                      Ground Mount Solar, Essential Srvc/Municipal Facil: 0 Min.Lot Size</p>	<p><b>Layout Setbacks</b></p>  
<p><b>Flag Lot Size-</b>                      80,000 square ft. minimum                      Frontage/Width = 50' Min.                      Depth = 200' Min.</p> <p><b>Setbacks</b>                      Front =40' Min                      Side=30' Min(10' Det Acc structure)                      Rear=60' Min(10' Det Acc structure)                      Max Height = 35'                      Open Space = 85%</p>	<p style="text-align: center;"><b>FLAG LOT LAYOUT</b></p> 

12/15/2020

Design Standards Illustrated	
<p>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).</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>See additional specific criteria for 2-family homes. 350-6.11.</p>	
<p>Minimum Parking for residential uses</p> <p>For other uses see table in 350-8.2</p>	<p>1 space per 1,000 ft<sup>2</sup> Gross Living Area (round up). No more than 2 spaces required per unit.</p> <p>Front yard setback may only have parking for a maximum of two vehicles</p>

12/15/2020

WSP USES ALLOWED

*Uses Allowed By Right:*

- Single Family residence
- ~~Two Family/Attached (to a single family) accessory dwelling unit not to exceed 900 F<sup>2</sup> Gross Living Area—See 350-10-10. Same setbacks 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 ft<sup>2</sup> 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.

one of the dwellings not to exceed 1,800 square feet gross living area.

Two Family

*Site Plan Approval required for the following:*

- Any new construction (other than for a single family or two family less than 2,000 sf of GFA home) greater than 2,000 ft<sup>2</sup>
- ~~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:

12/15/2020

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 30.10 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.

12/15/2020 New bullet: Two single-family dwellings per lot, both of the dwellings greater than 1,800 square feet gross living area each

- 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

12/15/2020

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.

12/15/2020

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	
<p><b>Design Standards Illustrated</b>  <i>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)</i></p>	
<p><del>1. If aFor attached garages/ or other parking structures that face the street, is attached, it must be set</del></p> <p><del>a) The front face of the garage must be stepped back 120' from the house façade; and</del></p> <p><del>b) 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).</del></p> <p><del>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.</del></p>	<p><b>DELETE:</b></p>  <p><b>ADD:</b></p> 

See additional specific criteria for 2-family homes. If a garage or other parking structure is attached, it shall comprise no more than 20% 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 ft<sup>2</sup>

one of the dwellings not to exceed 1,800 square feet gross living area.

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

- Two single-family dwellings per lot, both of the dwellings greater than 1,800 square feet gross living area each See additional criteria in 350-6.11 NOTE- Make HYPERLINK

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

**City of Northampton  
MASSACHUSETTS**

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  
MASSACHUSETTS

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

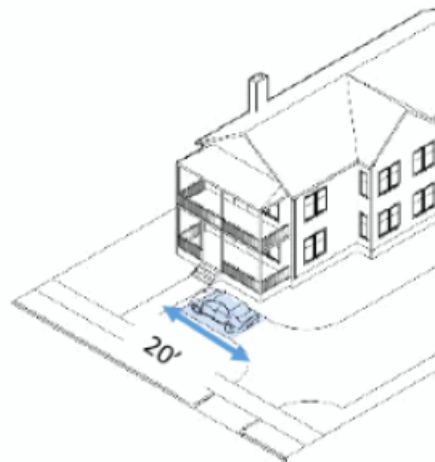
D. Parking shall not be located within five feet from the front lot line for residential uses, 15 feet for other uses in M District, nor 10 feet for other uses.

(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 in 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 façade. 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 5-350-10.10~~ 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 5-350-10.10~~ Zoning Board of Appeals Special Permit

**Passed two readings, ordained and enrolled.**

<p><u>Ordinances</u> <u>20.181 Ordinance Relative to Affordable Housing (350-6-12) - 1st reading</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 - 1st reading</u></p>	<p><u>Ordinances</u> <u>20.181 An Ordinance Relative to Affordable Housing (350-6-12) - 1st reading</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 - 1st reading</u> Councilor Sciarra said she thinks these other zoning ordinances are really important, and she would like to have an extensive conversation on them when they're not at this state at one o'clock in the morning. She suggested the possibility of continuing this discussion to the next meeting on April 1<sup>st</sup>.  Councilor Dwight moved to continue the agenda item to April 1, 2021. Councilor Foster seconded. The motion passed unanimously 9:0 by roll call vote.  <u>See minutes of April 1, 2021 for first reading.</u></p>
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<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor Sciarra reviewed the consent agenda, offering to remove any item for separate discussion upon request. Councilor Dwight moved to approve the consent agenda as presented. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call</p>
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	<p>vote.                  The following items were approved as part of the consent agenda:                  A. <u>Minutes of February 18, 2021 City Council Meeting</u>                  B. <u>21.210 Appointment to Planning Board - for referral to City Services Committee Planning Board</u>  <b>Samuel Taylor</b> (Full Member), 245 North Street, Northampton                  Term: July 2020-June 2023  <i>Reappointment</i></p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 1:10 1.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 1:13 a.m. The City Council reconvened at 1:13 a.m.</p>
<p><u>Financial Orders (on 1st reading pending Finance)</u>  <u>21.205 An Order to Establish Water and Sewer Rates for FY2022 - 1st reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u>  <u>21.205 An Order to Establish Water and Sewer Rates for FY2022 - 1st reading</u>                  Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded. The order passed unanimously 9:0 by roll call vote.   <u>See minutes of April 1, 2021 for second reading.</u></p>
<p><u>Financial Orders (in 2<sup>nd</sup> reading)</u>  <u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement – 2nd reading</u></p>	<p><u>Financial Orders (in 2<sup>nd</sup> reading)</u>  <u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement – 2nd reading</u>                  Councilor LaBarge moved to approve the order as amended in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.   <u>The following order passed two readings:</u></p>

**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 valued up to \$10,000 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.

Passed two readings and enrolled.

**21.203 An Order to Discontinue a Portion of Sherman Avenue – 2nd reading**

Councilor Dwight moved to approve the order in second reading. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

21.203 An Order to Discontinue a Portion of Sherman Avenue – 2nd reading

**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.

Passed two readings and enrolled.

Orders  
21.211 An Order  
Further Extending  
20.062, Temporary  
Suspension of  
Certain  
Ordinances to  
Reopen  
Restaurants - 1st  
reading

Orders  
21.211 An Order Further Extending 20.062, Temporary Suspension of Certain Ordinances  
to Reopen Restaurants - 1st reading  
Councilor Sciarra read.

Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded.

This was the order allowing them to set up temporary outdoor dining, Mayor Narkewicz reminded. They already have establishments downtown that have gone to the License Commission including this afternoon to apply for the necessary permits to stand that up again. The goal is to try to get outdoor dining set back up, weather permitting, April 1<sup>st</sup> on Strong Avenue, Market Street, Upper Main Street, and some side streets like Packards, etc. This will allow them to do that. They are asking for an extension to November 1<sup>st</sup> because they are assuming people will want to keep it up through summer and fall. That was effectively when they pulled the blocks and took everything up last year.

Councilor Jarrett said he noticed last year the addition of mask-free zones in Pulaski Park. He asked if they planned to do that again.

That was an initiative the health director tried, Mayor Narkewicz confirmed. Depending on where they are on mask wearing and vaccinations, he assumes the health director will try to do that again.

Councilor Nash said he thought the one-way traffic flow on Market Street was effective. He noticed it is not on the table.

Mayor Narkewicz said he has been talking to Meg Sullivan at Joe's. He is not sure they are

thinking of doing something as extensive, so they're thinking it won't impinge on traffic.

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

Councilor Dwight moved to suspend rules to allow a second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to approve the order in second reading. Councilor Foster seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings.**

**City of Northampton  
MASSACHUSETTS**

*In City Council, March 18, 2021,*

*Upon the recommendation of Mayor David J. Narkewicz*

**21.211 AN ORDER FURTHER EXTENDING ORDER 20.062 ENTERED  
ON JUNE 4, 2020, AS AMENDED BY ORDER 20.149**

WHEREAS, on June 4, 2020, the Northampton City Council entered Order 20.062, which suspended the effect of certain ordinances in order to facilitate the use of public property for outdoor dining in response to the COVID-19 pandemic; and

WHEREAS, Order 20.062 expired by its terms on November 15, 2020; and

WHEREAS, on November 12, 2020, the City Council extended Order 20.062 to March 31, 2021, by Order 20.149; and

WHEREAS, the Mayor desires to further extend Order 20.062, as amended.

NOW, THEREFORE, the Northampton City Council orders as follows.

***Ordered, that***

Paragraph 6 of Order 20.062, as amended by Order 20.149, shall be further amended by striking the phrase "March 31 2021" and inserting in its place the phrase "November 1, 2021 or 60 days after the Governor of the Commonwealth of Massachusetts rescinds the declared State of Emergency, whichever is sooner." All other provisions of Order 20.062 shall remain in full force and effect.

**Rules suspended, passed two readings and enrolled.**

20.182 Ordinance  
Relative to  
Demolition Review  
for Historically-  
Significant  
Buildings – 2nd  
reading

**20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings – 2nd reading**

Councilor LaBarge moved to approve the ordinance in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

**The following ordinance passed two readings:**

**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.

B.

The Commission may adopt such rules and regulations as are necessary to administer the terms of this chapter. The Office of Planning and 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.

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**Passed two readings, ordained and enrolled.**

<u>New Business</u>	<u>New Business</u> None.
<u>Information (Charter Provision 2-7) &amp; Study Requests</u>	<u>Information (Charter Provision 2-7) and Information Study Requests</u> <u>Appointment of committee to review and recommend changes to council rules.</u> Councilor Sciarra said this would be on the agenda April 1 <sup>st</sup> in the form of a resolution.
<u>Motion to Adjourn</u>	Upon motion made by Councilor Dwight and seconded by Councilor Nash, the meeting was adjourned at 1:24 a.m. The motion carried unanimously 9:0 by roll call vote.  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](mailto: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	<a href="mailto:davidwhitehill@gmail.com">davidwhitehill@gmail.com</a>
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, &amp; 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



# 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 18, 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**

**Samuel Taylor** (Full Member), 245 North Street, Northampton

Term: July 2020-June 2023

*Reappointment*



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

1 message

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Thu, Mar 11, 2021 at 5:25 PM

## 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](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Samuel
Last Name	Taylor
Title, if applicable	<i>Field not completed.</i>
Address1	245 North st.
Address2	<i>Field not completed.</i>
City	Northampton
State	Ma
Zip	01060
Home Phone	<i>Field not completed.</i>
Work Phone	<i>Field not completed.</i>
Cell Phone	4135887421
Occupation & Place of Employment	<i>Field not completed.</i>
Email	<a href="mailto:samtaylor1@hotmail.com">samtaylor1@hotmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	12
Age	40 - 49

Sex	Male
Racial / Ethnic Background	Black
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?	I am a local builder, landlord and renter in Northampton
Are you currently serving or have you served on any city committee?	Yes
Please list other city committees you have served on	Northampton
<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	Samuel Taylor
Date	3/11/2021

Email not displaying correctly? [View it in your browser.](#)

# City of Northampton

## AFFIDAVIT OF WAGE COMPLIANCE

Name of Business: Antiques Corner

Location of Business: 91 Loudville Road

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFIDAVIT: (V) (Choose 1 below)



This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.



This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) Louis M. Sparick  
(Typed or printed name of applicant)

(V) Louis Sparick  
(Signature)

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: **Antiques Corner**

Type of License: **Secondhand Dealer**

Location of Business: <sup>81</sup>~~81~~ **Loudville Road**  
81

Print Name of Applicant: (V) Louis M. FARRICK

Signature of Applicant: (V) Louis M. Farrick

Address of Applicant: (V) No. 81 Street LOUDVILLE RD

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

**City of Northampton**

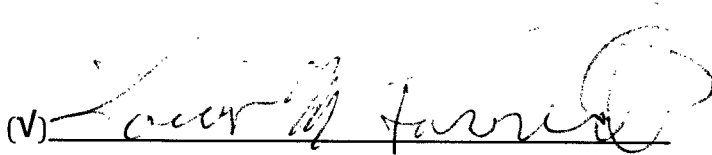
**STATEMENT OF ALL TAXES FILED AND PAID**

Name of Business: Antiques Corner

Location of Business: 91 Loudville Road

The license (as a/for a) Secondhand Dealer will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (v) Louis M. FARRICK (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

(v) 

Signature of Owner or Agent

(v)

12  
or

(v)

Social Security Number

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Cumberland Rare Books

Type of License: Secondhand Dealer

Location of Business: 9-1/2 Market Street

Print Name of Applicant: (V) HOSEA BASKIN

Signature of Applicant: (V) [Handwritten Signature]

Address of Applicant: (V) No. 46 Street FRANKLIN ST

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_(date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council



# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Cumberland Rare Books

Location of Business: 9-1/2 Market Street

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT: (V) (Choose 1 below)

This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.

This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V)

HOSEA BASKIN

(Typed or printed name of applicant)

(V)

[Signature]

(Signature)

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Cumberland Rare Books or Hosea Baskin**

Location of Property, Service or Address: **9-1/2 Market Street, Northampton, MA 01060**

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**All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.**

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

Accounts are current.

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Signed: Kristine Bissell

Dated: April 5, 2021

THANK YOU!  
CITY CLERK  
NORTHAMPTON  
210 MAIN ST., ROOM 4  
(413) 587-1224

City of Northampton

Application for Annual License

04-01-2021  
REG

14:41  
000025

SECOND HAND  
CHECK

\$25.00  
\$25.00

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Electric Eye Records

Type of License: Secondhand Dealer

Location of Business: 52 Main St., #6

Print Name of Applicant: (V) Andrew CRESPO

Signature of Applicant: (V) [Handwritten Signature]

Address of Applicant: (V) No. 52 Street MAIN ST. #6

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_(date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_not granted

Attest: \_\_\_\_\_ Clerk to City Council

**City of Northampton**

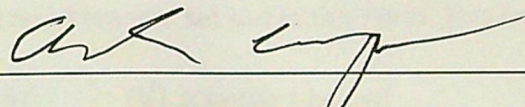
**STATEMENT OF ALL TAXES FILED AND PAID**

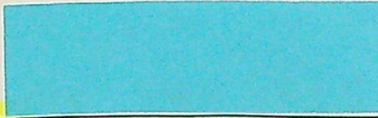

Name of Business: Electric Eye Records

Location of Business: 52 Main St., #6

The license (as a/for a) *Secondhand Dealer* will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (V) Andrew Crespo (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

(V)   
Signature of Owner or Agent

(V)  or (V)   
Social Security Number Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Electric Eye Records

Location of Business: 52 Main St., #6

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT:  (Choose 1 below)

This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.

This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

Andrew Crespo

(Typed or printed name of applicant)

[Signature]

(Signature)

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Electric Eye Records Andrew Crespo**

Location of Property, Service or Address: **52 Main St., #6, Florence, MA 01062**

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**All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.**

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

Tax accounts are current.

Signed: *Kristine Bissell*

Dated: April 5, 2021

Adopted 5-21 1992 [Ch14 S.14-21 of the 1977 Code]  
Denial/Revocation of License

City of Northampton

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: **Norman E. Menard**

Type of License: **Secondhand Dealer**

Location of Business: **25 Garfield Avenue**

Print Name of Applicant: (V) Norman Menard

Signature of Applicant: (V) Norm E Menard

Address of Applicant: (V) No. 25 Street Garfield Ave Northampton, MA

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

**City of Northampton**

**STATEMENT OF ALL TAXES FILED AND PAID**

Name of Business: Norman E. Menard

Location of Business: 25 Garfield Avenue

The license (as a/for a) Secondhand Dealer will not be issued unless this certification clause is signed by the applicant listed on the license.

I,  Norman E. Menard (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

Norm E Menard

Signature of Owner or Agent

Social Security Number

or  \_\_\_\_\_

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

# City of Northampton

## AFFIDAVIT OF WAGE COMPLIANCE

Name of Business: Norman E. Menard

Location of Business: 25 Garfield Avenue

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFIDAVIT: (V) (Choose 1 below)



This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.



This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) Norman E. Menard

(Typed or printed name of applicant)

(V) Norman E. Menard

(Signature)

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: **Roz's Place**

Type of License: **Secondhand Dealer**

Location of Business: **6 Bridge Street**

Print Name of Applicant: (V) TIMOTHY SALDO

Signature of Applicant: (V) Timothy Saldo

Address of Applicant: (V) No. 6 BRIDGE Street NORTHAMPTON, MA 01060

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council



# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Roz's Place

Location of Business: 6 Bridge Street

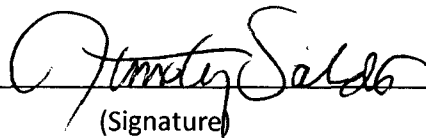
The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT: (V) (Choose 1 below)

- This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.
- This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) TIMOTHY SALDO  
(Typed or printed name of applicant)

(V)   
(Signature)

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: **Sassy Pants Vintage & Used Clothing**  
Type of License: **Secondhand Dealer**  
Location of Business: **2 Konz St. Unit 2 Northampton, MA 01060**

Print Name of Applicant: (v) Kathleen Molongoski

Signature of Applicant: (v) Kathleen Molongoski

Address of Applicant: (v) No 2 Konz Street Unit #4



In City Council, \_\_\_\_\_  
Referred to Committee on Licenses.  
ATTEST:  
\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_  
Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted  
ATTEST:  
\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

**City of Northampton**

**STATEMENT OF ALL TAXES FILED AND PAID**

Name of Business: Sassy Pants Vintage & Used Clothing

Location of Business: 2 Conz St. Unit 2 Northampton, MA 01060

The license (as a/for a) Secondhand Dealer will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (v) Kathleen Malongaski (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

Kathleen Malongaski

Signature of Owner or Agent

(v)

OR  
or (v)

Social Security Number

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

**City of Northampton**

**AFFADAVIT OF WAGE COMPLIANCE**

**Name of Business:** Sassy Pants Vintage & Used Clothing

**Location of Business:** 2 Konz St. Unit 2 Northampton, MA 01060

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT: (V) (Choose 1 below)



This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.



This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) Kathleen Malongaski  
(Typed or printed name of applicant)

(V) Kathleen Malongaski  
(Signature)



Kelsey Bean Samson  
July 11, 2025

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

*To the Honorable City Council of the City of Northampton:*

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business:    **The Family Jewels**  
Type of License:       **Secondhand Dealer**  
Location of Business: **56 Green Street**

Print Name of Applicant: (V) Richard J. Stone

Signature of Applicant: (V) Richard J. Stone *see*

Address of Applicant: (V) No. 56 Street Green Street

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
*City Clerk*

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
*Clerk*

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ *Clerk to City Council*

# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: The Family Jewels

Location of Business: 56 Green Street

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT: (V) (Choose 1 below)

- This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.
- This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) Richard J. Stone  
(Typed or printed name of applicant)

(V) Richard J. Stone pres.  
(Signature)

**City of Northampton**

**STATEMENT OF ALL TAXES FILED AND PAID**


Name of Business: The Family Jewels

Location of Business: 56 Green Street

The license (as a/for a) **Secondhand Dealer** will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (V) Richard J. Stone (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

(V) Richard J. Stone Pres.  
Signature of Owner or Agent

(V) \_\_\_\_\_ or (V)  \_\_\_\_\_  
Social Security Number Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

MASSACHUSETTS

DRIVER'S  
LICENSE



Operator's Photo



EXPIRES 08/28/2020  
ISSUES 05/29/2025  
LICENSE NO. 548419363  
DOB 05/29/1943  
SEX NONE

1 STONE  
2 RICHARD JEFFREY  
3 73 LEXINGTON AV  
4 HOLYOKE, MA 01040-2008

*Richard J Stone*

18 EYES HAZ  
19 SEX M 16 HGT 6'-00"  
5 DO 08/21/2020 Rev 02/22/2016

05/29/43

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Packards  
Type of License: Pool Tables-Weekdays  
Location of Business: 14 Masonic Street

Print Name of Applicant: (V) ROBERT E. Mc GOVERN

Signature of Applicant: (V) *Robert E. McGovern*

Address of Applicant: (V) No. 53 Street MAIN ST, HATFIELD, MA. 01038

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_(date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

*City of Northampton*

**STATEMENT OF ALL TAXES FILED AND PAID**

Name of Business: Packards  
Location of Business: 14 Masonic Street

The license (as a/for a) *Pool Tables-Sunday* will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (V) ROBERT E. Mc GOVERN (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

(V) *Robert E. McGovern*

Signature of Owner or Agent

(V) \_\_\_\_\_

Social Security Number

OR



or (V) \_\_\_\_\_

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

# City of Northampton

## AFFIDAVIT OF WAGE COMPLIANCE

Name of Business: Packards

Location of Business: 14 Masonic Street

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFIDAVIT:  (Choose 1 below)

- This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.
- This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

ROBERT E. Mc GOVERN  
(Typed or printed name of applicant)

[Signature]  
(Signature)

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Packards or Weasel Real Estate Mgmt LLC**

Location of Property, Service or Address: **14 Masonic Street, Northampton, MA 01060**

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All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

There are no unpaid amounts for twelve months or more after the due date.

Signed: Kristine Bissell

Dated: April 5, 2021

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Packards  
Type of License: Pool Tables-Sunday  
Location of Business: 14 Masonic Street

Print Name of Applicant: (V) ROBERT E. Mc GOVERN

Signature of Applicant: (V) [Handwritten Signature]

Address of Applicant: (V) No. 53 Street MAIN ST. HATFIELD, MA 01038

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

City of Northampton

STATEMENT OF ALL TAXES FILED AND PAID

Name of Business: Packards
Location of Business: 14 Masonic Street

The license (as a/for a) Pool Tables-Sunday will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (V) ROBERT E. Mc GOVERN (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have field all state tax returns and paid all state taxes as required under law.

(V) [Handwritten Signature]

Signature of Owner or Agent

(V) \_\_\_\_\_ or (V) \_\_\_\_\_

Social Security Number

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Packards  
Location of Business: 14 Masonic Street

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT:  (Choose 1 below)

- This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.
- This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) ROBERT E. Mc GOVERN  
(Typed or printed name of applicant)

(V) [Signature]  
(Signature)

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Packards or Weasel Real Estate Mgmt LLC**

Location of Property, Service or Address: **14 Masonic Street, Northampton, MA 01060**

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**All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.**

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

There are no unpaid amounts for twelve months or more after the due date.

Signed: *Kristine Bissell*

Dated: April 5, 2021

Adopted 5-21 1992 [Ch14 S.14-21 of the 1977 Code]  
Denial/Revocation of License

City of Northampton

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: **Norman E. Menard**

Type of License: **Junk Dealer**

Location of Business: **25 Garfield Avenue**

Print Name of Applicant: (v) Norman Menard

Signature of Applicant: (v) Norm E Menard

Address of Applicant: (v) No. 25 Street Garfield Ave, No. MA

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

**City of Northampton**

**STATEMENT OF ALL TAXES FILED AND PAID**

Name of Business: Norman E. Menard

Location of Business: 25 Garfield Avenue

The license (as a/for a) Secondhand Dealer will not be issued unless this certification clause is signed by the applicant listed on the license.

I, (v) Norman Menard (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

(v) Norm E Menard

Signature of Owner or Agent

(v) \_\_\_\_\_ or (v) \_\_\_\_\_

Social Security Number

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

# City of Northampton

## AFFIDAVIT OF WAGE COMPLIANCE

Name of Business: Norman E. Menard

Location of Business: 25 Garfield Avenue

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFIDAVIT: (V) (Choose 1 below)

- This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.
- This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) Norman E. Menard  
(Typed or printed name of applicant)

(V) Norman E. Menard  
(Signature)

THANK YOU!  
CITY CLERK  
NORTHAMPTON  
210 MAIN ST, ROOM 4  
(413) 587-1224

City of Northampton

Application for Annual License

04-01-2021 14:43  
REG 000027

JUNK DEALERS \$50.00  
CHECK \$50.00

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Richard & Sharon Huntley

Type of License: Junk Dealer

Location of Business: 254 Easthampton Road

Print Name of Applicant: (V) RICHARD HUNTLEY

Signature of Applicant: (V) [Handwritten Signature]

Address of Applicant: (V) No. PO BOX 172 Street LEEDS, MA 01053

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
Clerk

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ Clerk to City Council

# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Richard & Sharon Huntley

Location of Business: 254 Easthampton Road

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT:  (Choose 1 below)

This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.

This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

(V) RICHARD HUNTLEY  
(Typed or printed name of applicant)

(V) *Richard Huntley*  
(Signature)

City of Northampton

STATEMENT OF ALL TAXES FILED AND PAID

Name of Business: Richard & Sharon Huntley

Location of Business: 254 Easthampton Road

The license (as a/for a) Junk Dealer will not be issued unless this certification clause is signed by the applicant listed on the license.

I,  RICHARD HUNTLEY (print name of owner or authorized agent of the business) certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

Richard Huntley

Signature of Owner or Agent

Social Security Number

*OR*  
or

Federal Identification Number

Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, section 49A.

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Richard & Sharon Huntley**

Location of Property, Service or Address: **254 Easthampton Road, Northampton, MA 01060**

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**All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.**

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

Tax accounts are current.

Signed: Kristine Bissell

Dated: April 5, 2021

Adopted 5-21 1992 [Ch14 S.14-21 of the 1977 Code]  
Denial/Revocation of License

City of Northampton

# City of Northampton

MASSACHUSETTS

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## *In City Council, April 15, 2021*

*Upon the recommendation of Mayor David J. Narkewicz, Conservation Commission and Planning & Sustainability*

### 21.244 An Order to Acquire and Amend Easements at the Mill River Greenway-Smith College

#### ***Ordered, that***

- WHEREAS, The ***Open Space and Recreation Plan: 2018-2025*** recommends expanding public access along the Mill River as part of the ***Mill River Greenway*** and the ***Climate Resilience and Regeneration Plan (2021)*** recommends moving to renewable energy and electrification of thermal loads;
- WHEREAS, The Trustees of the Smith College granted the City an ***Open Space Restriction and Public Right of Way Easement*** recorded at Hampshire Registry of Deeds at Book 5900, Page 26 (3/14/2000) and Book 5898, Page 39 (3/9/2000);
- WHEREAS, The City of Northampton would like to revise this restriction to be a formal conservation restriction in accordance with MGL Chapter 184, Section 31;
- WHEREAS, Smith College would reserve the right to use area within 200 feet of the gravel road shown on a plan entitled "*Boundary Survey of Land of the Commonwealth of Massachusetts, formerly the Northampton State Hospital, Northampton, Massachusetts*" dated December 17, 1996 and recorded at Hampshire Registry of Deeds (Plan Book 183, Page 3, Sheet 3) for any parking uses. This area is currently allowed for parking for recreation uses and expanding to non-recreation uses will have no adverse impact on the conservation values;
- WHEREAS, Smith College would reserve the right for underground piping and heat exchange for ground sourced heat pumps on the premises so that, other than during construction, reconstruction, and repair activities, the facilities will not be visible above grade. This use is consistent with the City's *Climate Resilience and Regeneration Plan* and will have no adverse impact on conservation values;
- WHEREAS, Smith College is prepared to simultaneously expand the existing easement "to allow the public to pass and repass on foot trails for the purpose of fishing, hiking, winter sports..." to include all trails within 100 feet of the Mill River, on the northeasterly side of the Mill River, northerly and westerly of the Smith College crew house, and westerly of College Lane on the Smith College campus;

WHEREAS, The amendments of the open space restriction requires approval of the Massachusetts General Court under Article 97 of the Amendments to the State Constitution.

***Ordered, that***

The Mayor and the Conservation Commission is authorized to amend the existing ***Open Space Restriction and Public Right of Way Easement*** to expand the uses of existing parking areas, allow underground piping for ground source heat pumps, and accept the new expanded easement;

Further, the City requests and petitions that our legislative delegation file legislation substantially as follows:

**An Act authorizing the City of Northampton to amend a certain conservation easement.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1. Notwithstanding any general or special law to the contrary, the city of Northampton, acting by and through its mayor and conservation commission, may amend the Open Space Restriction and Public Right of Way Easement recorded at Hampshire Registry of Deeds at Book 5900, Page 26 and Book 5898, Page 39 to allow any parking within 200 feet of the gravel road shown on a plan entitled "Boundary Survey of Land of the Commonwealth of Massachusetts, formerly the Northampton State Hospital, Northampton, Massachusetts" dated December 17, 1996 and recorded at Hampshire Registry of Deeds at Plan Book 183, Page 3, Sheet 3 and allow underground piping and heat exchange for ground source heat pumps and to record the new restriction as a conservation restriction under the authority of MGL Chapter 184, Section 31.

SECTION 2. As a condition and in consideration for the amendment to the easement as provided in section 1 of this act, and at the same time as such release, the city of Northampton, acting by and through its conservation commission, shall accept an expanded public right-of-way easement to allow the public to pass and repass on foot trails for the purpose of fishing, hiking, winter sports on all trails within 100 feet of the Mill River on the northerly side of the river, northerly and westerly of the Smith College crew house, and westerly of College Lane on the Smith College campus, Northampton.

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*  
21.248 An Order to Appropriate CPA Funds for Historic Northampton Collections Storage

***Ordered, that***

WHEREAS, Historic Northampton, Inc. submitted a Small Grants application for Community Preservation Act funding to purchase appropriate collections storage for its ephemera, photograph and research collections;

WHEREAS, the collections yield important information about Northampton's history, and are frequently accessed for research by community members, businesses, and nonprofits;

WHEREAS, improved collections storage was a critical recommendation of the Massachusetts State Historic Records Board, and will protect these resources for the future;

WHEREAS, on February 17, 2021 the Northampton Community Preservation Committee, voted unanimously to recommend that \$3,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$3,000 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. for purchase and installation of new collections storage. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$3,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

# City of Northampton

MASSACHUSETTS

---

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*

21.249 An Order to appropriate \$120,000 in CPA Funds Toward Habitat Housing on Burts Pit Road

Ordered, that

WHEREAS, Pioneer Valley Habitat for Humanity submitted an application for Community Preservation Act funding for creation of three energy efficient affordable homes on Burts Pit Road;

WHEREAS, Habitat for Humanity has an excellent record of creating housing throughout the Pioneer Valley and beyond;

WHEREAS, the project has wide community support, leverages funding from many other sources, and utilizes volunteer labor;

WHEREAS, the homes will be permanently restricted to individuals and families earning 60% of area median income or below;

WHEREAS, on April 7, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$120,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$120,000 be appropriated from Community Preservation Act funding to Pioneer Valley Habitat for Humanity for the Broughton's Meadow Small Home Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$39,525 is appropriated from the CPA Budgeted Reserve (account #2344930-359930, and is \$80,475 allocated from the CPA Affordable Housing Reserve (account #2344930-359933)

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*

21.250 An Order to Appropriate \$14,500 in CPA Funds to Lilly Library Stair Repair Project

***Ordered, that***

WHEREAS, Lilly Library. submitted a CPA application for Community Preservation Act funding to conduct critical structural repairs to the historic entrance to the Library;

WHEREAS, all work will be consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties;

WHEREAS, Lilly Library is an institution that has been an essential component of the Florence community for over 130 years, and this project will maintain the historic nature while ensuring continued functionality of the building;

WHEREAS, on April 7, 2021 the Northampton Community Preservation Committee, voted unanimously to recommend that \$14,500 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$14,500 be appropriated from Community Preservation Act funding to Lilly Library for the Stair Repair project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$14,500 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*  
21.251 An Order to Appropriate \$70,000 in CPA Funds for Historic Preservation Plan

***Ordered, that***

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding for creation of a Historic Preservation Plan to identify historic and cultural resources, assess current status, recognize issues and opportunities to help ensure that those resources are protected;

WHEREAS, through a collaborative community process and analysis of resource data and community values, the Plan will develop a vision, goal, priorities, and toolbox for preservation of priority historic and cultural resources and will become a component of the City's Sustainable Northampton Comprehensive Plan;

WHEREAS, on April 7, 2021, the Northampton Community Preservation Committee, voted unanimously to recommend that \$70,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$70,000 be appropriated from Community Preservation Act funding to the Historic Preservation Plan. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$5,891 is allocated from the CPA Historic Preservation Reserve (account #2344930-359932), and \$64,109 is allocated from the CPA Budgeted Reserve (account #2344930-359930).

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*  
21.252 An Order to Appropriate \$21,250 for Damon House/Shepherd Barn Project

***Ordered, that***

WHEREAS, Historic Northampton, Inc. submitted a CPA application for Community Preservation Act funding for restoration of the Damon House roofline balustrade, and for a structural analysis of the Shepherd Barn;

WHEREAS, all work will be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties;

WHEREAS, CPA funds will be used to help secure an important historic resource that is valued by the community and the region, on which the City holds a permanent preservation restriction, and will expand Historic Northampton's public programming opportunities;

WHEREAS, on April 7, 2021 the Northampton Community Preservation Committee, voted unanimously to recommend that \$21,250 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$21,250 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. for the Shepherd/Damon project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$21,250 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*

21.253 An Order to Appropriate \$60,000 in CPA Funds for Mill River Greenway Beach Project

***Ordered, that***

WHEREAS, the Northampton Conservation Commission and Office of Planning & Sustainability submitted a CPA application to acquire a 3.3 acre parcel along the Mill River in Leeds abutting the existing Mill River Greenway which includes recreational opportunities for all seasons;

WHEREAS, subject to the City successfully negotiating a conservation restriction which contains an adequate private party maintenance agreement;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan to protect open space, and provide recreational opportunities;

WHEREAS, on April 7, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$60,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$60,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Mill River Greenway Beach acquisition Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$60,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, April 15, 2021*

*Upon the recommendation of the Community Preservation Committee*  
21.254 An Order to Appropriate \$50,000 in CPA Funds to the Affordable Housing Fund

***Ordered, that***

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding for the Affordable Housing Fund;

WHEREAS, the fund will be used for due diligence and soft costs for predevelopment work necessary for new affordable housing opportunities that the City creates, and for which no other funds are readily available, and will help to leverage future funding opportunities from other sources;

WHEREAS, this fund will result in new affordable housing opportunities in Northampton, meets the goals of the Housing Needs Assessment and Strategic Plan, and will help to address impediments to fair housing identified in the Fair Housing Assessment;

WHEREAS, on April 7, 2021, the Northampton Community Preservation Committee, voted unanimously to recommend that \$50,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$50,000 be appropriated from Community Preservation Act funding to the Affordable Housing Fund. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$50,000 is allocated from the CPA Affordable Housing Reserve (account #2344930-359933)

**Property Address:  
Southeasterly Side of Brierwood Drive  
Florence, MA**

**ORDER OF TAKING**

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto as Exhibit A, does hereby take the parcel of land herein described in fee simple absolute for access to the R.K. Finn Ryan Road School.

The land taken herein is shown as Lot 31-A on a plan of land recorded in the Hampshire Registry of Deeds, Plan Book 67, Page 94, but specifically excepting and excluding the parcel of land shown as Lot 31-A on a plan recorded in Plan Book 65, Page 56A and also described in a deed recorded in Book 1486, Page 148.”

As pro tanto damages for the taking herein, the City of Northampton awards the sum of \$3,100.00, which shall be applied to reduce or release the tax lien encumbering such parcel.

For title see deed of Martin J. Beattie and Catherine C. Beattie to Edbert Homes, Inc., dated September 30, 1959, and recorded in the Hampshire Registry of Deeds Book 1312, Page 353.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
Gina-Louise Sciarra  
AT-LARGE COUNCILOR

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Michael Quinlan, Jr.  
WARD 1 COUNCILOR

\_\_\_\_\_  
Karen Foster  
WARD 2 COUNCILOR

\_\_\_\_\_  
James Nash  
WARD 3 COUNCILOR

\_\_\_\_\_  
John Thorpe  
WARD 4 COUNCILOR

\_\_\_\_\_  
Alex Jarrett  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Rachel Maiore  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

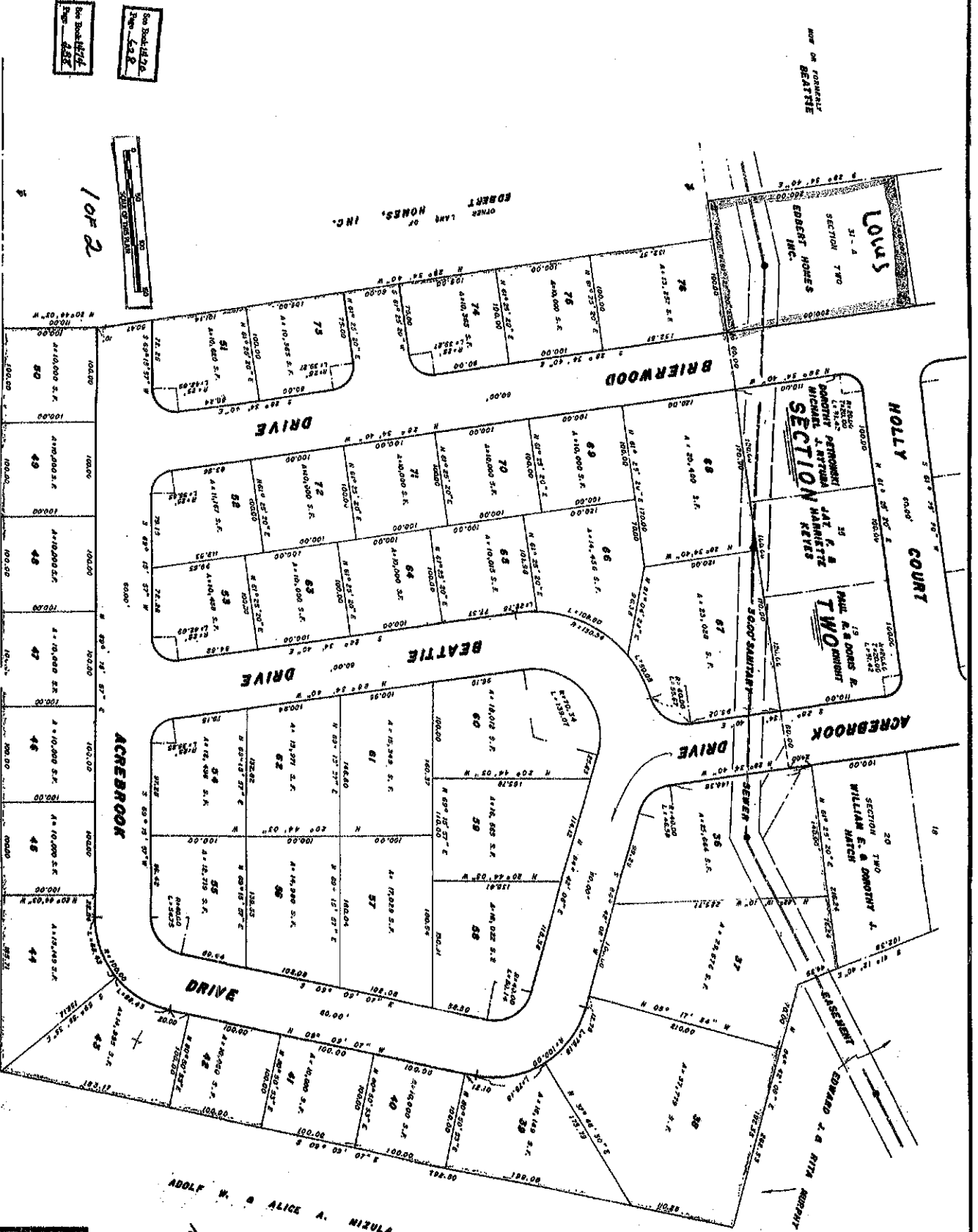
I, Laura Krutzler, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of a certain parcel of land located in Northampton, Hampshire County, Massachusetts, was executed on \_\_\_\_\_, 2021, by Gina-Louise Sciarra, William H. Dwight, Michael Quinlan, Jr., Karen Foster, James Nash, John Thorpe, Alex Jarrett, Marianne L. LaBarge, and Rachel Maoire, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Laura Krutzler  
Clerk to City Council  
City of Northampton, Massachusetts

**EXHIBIT A**  
**CITY COUNCIL ORDER**





See Book 4474  
Page 488

See Book 4474  
Page 488

1 of 2

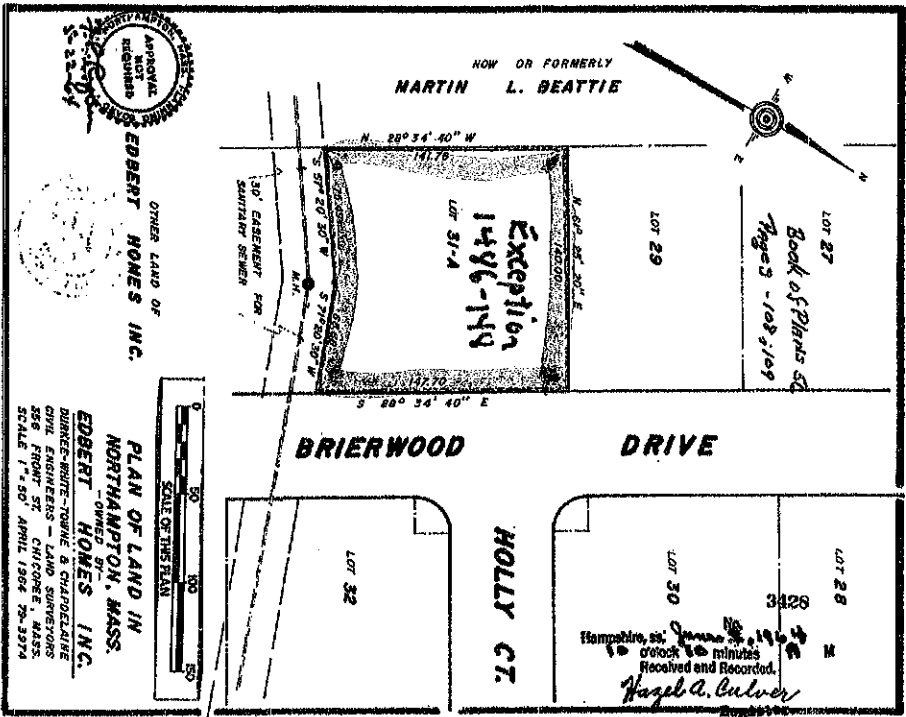
Robert S. De...  
Surveyor

HOMER B. REEDY CONST. CO. INC.

ADOLF W. & ALICE A. NIZULA

368-154

SECTION



**City of Northampton**

MASSACHUSETTS

In City Council, April 15, 2021

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

**21.255 AN ORDER AUTHORIZING ACQUISITION OF A PARCEL OF LAND  
ON THE SOUTHEASTERLY SIDE OF BRIERWOOD DRIVE**

WHEREAS, the parcel subject to this Order is located on the southeasterly side of Brierwood Drive and is shown on a plan of land entitled "Plan of Lots in Northampton, Mass. Owned by Edbert Homes, Inc.," dated July 12, 1965, and recorded in Hampshire Registry of Deeds in Plan Book 67, Pages 94-95, ("the Plan") being the southernly one-third of lot 31-A on the Plan ("the Parcel"); and

WHEREAS, the Parcel excludes that portion of lot 31-A that is shown on the plan entitled "Plan of Lots in Northampton, Mass. Owned by Edbert Homes, Inc.," dated April 1964, and recorded in the Hampshire Registry of Deeds in Plan Book 65, Page 56A, also shown thereon as lot 31-A; and

WHEREAS, the Parcel abuts the property of the R.K. Finn Ryan Road Elementary School; and

WHEREAS, the owner of the Parcel, Edbert Homes, Inc., was involuntarily dissolved by order of the Secretary of the Commonwealth in 1979; and

WHEREAS, the Parcel is subject to an existing tax lien for unpaid taxes that exceed the value of the Parcel; and

WHEREAS, the Parcel contains the layout of a City sewer line; and

WHEREAS, the Parcel would enhance access to the abutting school property from the neighborhood shown on the Plan.

**NOW, THEREFORE BE IT ORDERED,**

The City Council hereby authorizes the acquisition by purchase, gift, eminent domain, or otherwise of the Parcel described above for access to and egress from the land of the R.K. Finn Ryan Road Elementary School.

As damages for the taking, the City Council hereby awards Three Thousand One Hundred Dollars (\$3,100.00) which shall be applied to the outstanding balance on taxes due and owing on the Parcel.

# City of Northampton

MASSACHUSETTS

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## *In City Council, April 15, 2021*

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

### 21.256 An Order Waiving Right of First Refusal Regarding 2.93 Acres Off of Kennedy Road and Releasing Tax Lien

WHEREAS, a certain parcel of land off of Kennedy Road, Leeds, Massachusetts consisting of 2.93 acres, more or less, has been tax classified as agricultural land pursuant to M.G.L. c. 61A (“the Parcel”) and is subject to a lien recorded in the Hampshire Registry of Deeds in Book 2413, Page 775; and

WHEREAS, title to the Parcel is held by Robert A. Borowski and Anne M. Borowski pursuant to a deed recorded in the Hampshire Registry of Deeds in Book 7156, page 275; and

WHEREAS, the conveyance of a property held and taxed pursuant to c. 61A gives rise to a first option to purchase that may be exercised by the City to purchase such property; and

WHEREAS, the Parcel is under a purchase and sale agreement for conveyance to abutting property owners Sheryl Fappiano and Michael Henderson of 141 Kennedy Road, Leeds, Massachusetts; and

WHEREAS, the Department of Planning and Sustainability has advised that the City not exercise its right of first refusal.

### ***Ordered, that***

The City Council hereby waives the first option to purchase the Parcel, consisting of 2.93 acres, more or less, off Kennedy Road, Leeds, Massachusetts, and releases the lien thereon as set forth in the Hampshire Registry of Deeds in Book 2413, Page 775. The City Council authorizes the Mayor to execute all instruments reasonably necessary to effectuate this Order.

**CITY OF NORTHAMPTON**  
**MASSACHUSETTS**

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving**

*Ordered, that*

the following accounts with surplus funds be reprogrammed and added to the Academy of Music Fire Suppression System Project (19303 586229):

AOM Stage Lighting (19303 586311)	\$ 5,340.00
Municipal Building Elevator (19303 585501)	\$ 3,201.88
Fire Station Energy Management System (19303 586904)	\$12,352.30

the following account with surplus funds be reprogrammed and added to the Leeds Elementary School Parking Lot Repaving Project (19303 586815):

Leeds Chimney Repairs (19303 586705)	\$6809.50
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**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.234 An Order to Accept DA Sullivan \$10,000 Gift to Fund Public Art Projects**

*Ordered, that*

The Northampton City Council gratefully accepts the donation of \$10,000, a gift to the City of Northampton from D.A. Sullivan and Sons, Inc., and in accordance with Massachusetts General Law Chapter 44, Section 53A approves using the gifted funds to fund public art projects under the direction of the Northampton Arts and Culture Department.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.235 An Order to Appropriate Marijuana Community Impact Fee \$2.6 Million to Various Projects**

*Ordered, that*

\$ 2,640,000 be appropriated from the Marijuana Community Impact Fee Stabilization Fund to the following accounts:

\$1,610,000	Community Resilience Hub Acquisition and Development
\$1,000,000	Pleasant Street Roadway and Streetscape Improvements from Hockanum Road to the Conz Street Roundabout
\$ 15,000	Accessible Bus Stop Design and Construction at 34 Bridge Street
\$ 15,000	Valley Bike Share Installation at 81 Conz Street (Salvo House)

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.237 An Order to Appropriate Free Cash \$400,000 to Animal Control Facility**

*Ordered, that*

the sum of \$400,000 be appropriated from the FY2021 General Fund Undesignated Fund Balance (Free Cash) to be added to the appropriation for the construction of an Animal Control Facility by Central Services originally funded in the FY2018 – FY2022 Capital Improvement Program.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.219 FY22 CIP – An Order to Authorize Borrowing \$6 Million for Radio System Upgrade**

*Ordered, that*

\$6,000,000 is appropriated to pay costs of upgrading the city-wide radio system, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.220 FY22 CIP – An Order to Authorize Borrowing \$450,000 for Hotel Bridge**

*Ordered, that*

\$450,000 is appropriated to pay costs of making structural and road surface improvements to the Hotel Bridge to accommodate bicycle and pedestrian traffic, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.221 FY22 CIP - An Order to Authorize Borrowing \$685,000 for DPW Vehicles**

*Ordered, that*

\$685,000 is appropriated to pay costs of acquiring various vehicles and other equipment for the Department of Public Works, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.222 FY22 CIP - An Order to Appropriate \$500,000 from Capital Stabilization to Arch Street Bridge Repairs**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$500,000 from the Capital Stabilization Fund be appropriated for repairs to the Arch Street Bridge in Leeds.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.223 FY22 CIP - An Order to Appropriate \$25,000 from Cemetery Perpetual Care for Cemetery Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$25,000 be appropriated from the Cemetery Trust and Income, to be used to fund restorative work at the city's cemeteries.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.224 FY22 CIP - An Order to Appropriate \$1.8 Million Free Cash to Various Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, the following Capital Projects be appropriated from the FY2021 General Fund Undesignated Fund Balance (Free Cash):

Central Services – Academy of Music – Fire Suppression System Upgrades	\$ 150,000
Central Services – Senior Center – Paint Exterior of Building	\$ 118,000
Central Services – Florence Fire Station - Pave Rear Parking Lot	\$ 65,000
Central Services – Lighting Upgrades – Multiple City Facilities	\$ 110,000
Dispatch – Radio Positions Upgrades	\$ 150,000
IT – Northampton Public Schools – Wireless System Upgrade and Replacement	\$ 220,000
Planning – Comprehensive Planning	\$ 60,000
Fire Rescue – Replace 2007 Mechanic Plow Vehicle	\$ 65,000
Fire Rescue – Replace Cardiac Monitors in Four Ambulance Units	\$ 75,000
Northampton Public Schools – Replace 2005 – 30 Passenger Wheelchair Bus	\$ 55,000
Northampton Public Schools – JFK – Energy Management System	\$ 150,000
Northampton Public Schools – DW Facilities Assessment for Greenhouse Gas	\$ 60,000
Northampton Public Schools – NHS – Repoint Chimney	\$ 40,000
Smith Vocational and Agricultural High School – Building C Boiler Replacement	\$ 180,000
Smith Vocational and Agricultural High School – Nurses Office Renovation	\$ 206,000
<u>Department of Public Works – Sidewalks</u>	<u>\$ 175,000</u>
TOTAL:	\$ 1,879,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.225 FY22 CIP - An Order to Appropriate \$150,000 from PEG Access Fund to IT Services Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$150,000 be appropriated from the PEG Access and Cable Related Fund (Fund 2337) to Information Technology Services for the following projects:

City Server System Replacement	\$ 100,000
Northampton Public Schools – Wireless System Upgrade and Replacement	\$ 50,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.226 FY22 CIP - An Order to Appropriate \$115,000 from Parking Receipts Reserved for Parking Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$115,000 be appropriated from the Receipts Reserved for Appropriation – Parking to fund the following projects:

Replace 2011 Flatbed Truck for Parking Maintenance	\$ 60,000
EJ Gare Garage Repairs	\$ 25,000
Replace 2015 Nissan Leaf for Parking Enforcement	\$ 30,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.227 FY22 CIP - An Order to Appropriate \$215,000 from Sale of Land RRA Account for NPS  
Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$215,000 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of the South Street School) to the following projects:

Northampton Public Schools – NHS – Replace Theater Fire Curtain	\$ 50,000
Northampton Public Schools – Leeds – Replace Handicap Lift in Cafeteria	\$ 100,000
Northampton Public Schools – Leeds – Floor Replacement	\$ 65,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.228 FY22 CIP - An Order to Appropriate \$94,575 from Sale of Land RRA Account for Florence Fields Recreation Area**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$94,575 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of various lots by the Planning Department) for stage two of the development of the Florence Fields Recreation Area.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.229 FY22 CIP - An Order to Appropriate \$424,000 from Sale of Land RRA Account for Water Line Replacement**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$424,000 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of the Prospect Street Water Department Building) for the replacement of water lines throughout the city.

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of the Transportation and Parking Commission

**21.240  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
FRONT 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 § 312-102 of the Code of Ordinances be amended as follows:*

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
<b><u>Front Street</u></b>	<b><u>Westerly</u></b>	<b><u>Florence Street</u></b>	<b><u>Grove Avenue</u></b>
<b><u>Front Street</u></b>	<b><u>Easterly</u></b>	<b><u>Florence Street</u></b>	<b><u>Grove Avenue</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of the Transportation and Parking Commission

**21.241  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
GROVE 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 § 312-102 of the Code of Ordinances be amended as follows:*

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
<u>Grove Avenue</u>	<u>Westerly</u>	<u>A point 50 feet southerly of Evergreen Road</u>	<u>Dead End</u>
<u>Grove Avenue</u>	<u>Easterly</u>	<u>Evergreen Road</u>	<u>Dead End</u>

SECTION 2

*That the § 312-105 of the Code of Ordinances be amended as follows:*

§ 312-105 Schedule IV: Seasonal Parking Restrictions.

Location	Side	From	To	Restriction
<u>Grove Avenue</u>	<u>Easterly</u>	<u>Evergreen Road</u>	<u>Front Street</u>	<u>No parking at any time from May 1 of any year to September 30 of the same year</u>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of the Transportation and Parking Commission

**21.242  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
FLORENCE 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 § 312-102 of the Code of Ordinances be amended as follows:*

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
Florence Street	Westerly	<del>Point opposite the northerly line of the sidewalk leading to the main entrance of the Leeds Grammar School</del> <b><u>A point 424 feet south of Front Street</u></b>	<del>Point 65 feet northerly</del> <b><u>Δ point 578 feet south of Front Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of the Transportation and Parking Commission

**21.243  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
MAIN STREET (LEEDS)**

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 § 312-102 of the Code of Ordinances be amended as follows:*

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
<u>Main Street (Leeds)</u>	<u>Easterly</u>	<u>Hotel Bridge</u>	<u>Arch Street</u>
<u>Main Street (Leeds)</u>	<u>Westerly</u>	<u>Hotel Bridge</u>	<u>Arch Street</u>

SECTION 2

*That the § 312-105 of the Code of Ordinances be amended as follows:*

§ 312-105 Schedule IV: Seasonal Parking Restrictions.

Location	Side	From	To	Restriction
<u>Main Street (Leeds)</u>	<u>Easterly</u>	<u>A point 306 feet southerly of Mulberry Street</u>	<u>Hotel Bridge</u>	<u>No parking at any time from May 1 of any year to September 30 of the same year</u>

**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
<b><u>Cross Street</u></b>	<b><u>West</u></b>	<b><u>Florence Road</u></b>
<b><u>Cross Street</u></b>	<b><u>East</u></b>	<b><u>Bliss Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

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

**21.213  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
PINE 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 § 312-102 of the Code of Ordinances be amended as follows:*

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
Pine Street [Added 8-15-1985]	North-wes terly	Chestnut Street	<del>Point 210 feet north-</del> <del>westerly from Chestnut Street</del> <b>South Main Street</b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

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

**21.214  
AN ORDINANCE**

**RELATIVE TO STOP SIGNS ON  
MAPLE STREET, MANN TERRACE, AND PINE 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.

A. Isolated stop signs. Stop intersections are established at the following locations:

Location	Direction of Travel	At the Intersection of
<del>Pine Street</del>	East	<del>Maple Street</del>
<del>Pine Street</del>	West	<del>Maple Street</del>
<b><u>Mann Terrace</u></b>	<b><u>North</u></b>	<b><u>Pine Street</u></b>

D. Multiway stop signs. Multiway stop intersections are established at the following locations:

Name of Street	Direction of Travel	Intersection
<b><u>Pine Street</u></b>	<b><u>East/West</u></b>	<b><u>Maple Street</u></b>
<b><u>Maple Street</u></b>	<b><u>North/South</u></b>	<b><u>Pine Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

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

**21.215  
AN ORDINANCE**

**RELATIVE TO TURNING RESTRICTION ON  
MANN TERRACE**

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 § 312-115 of the Code of Ordinances be amended as follows:*

§ 312-115 Schedule XIV: Left Turns Prohibited.

Name of Street	Direction of Travel	Left Turn Prohibited Onto
<b><u>Mann Terrace</u></b>	<b><u>North</u></b>	<b><u>Pine Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

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

**21.216  
AN ORDINANCE**

**RELATIVE TO ONE-WAY STREET ON  
MANN TERRACE**

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 § 312-112 of the Code of Ordinances be amended as follows:*

§ 312-112 Schedule XI: One-Way Streets.

Location	Direction	From	To
Mann Terrace	Northwesterly	A point 60 feet southeasterly of Pine Street	Pine Street

**City of Northampton  
MASSACHUSETTS**

**In the Year Two Thousand Twenty-One**

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

**20.181 An Ordinance Relative to Affordable Housing (350-6.12)**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by adding Section 350-6.12 to encourage affordable housing and maximize local control without requiring a Massachusetts Department of Housing and Community Development Site Eligibility Letter and other non-relevant requirements.

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

Add

**350-6.12 Affordable Housing**

Whereas, the “Massachusetts Comprehensive Permit Law” (Massachusetts General Law Chapter 40B, Sections 20 to 22) and the “Massachusetts Comprehensive Permit: Low and Moderate Income Housing” regulations (760 CMR 56.00), allow for a single local board to administer and to waive any and all local zoning ordinance and other local ordinances and regulations, as the single approving authority, to encourage affordable housing, upon obtaining a Site Eligibility Letter from the Massachusetts Department of Housing and Community Development (DHCD). Such Site Eligibility Letter creates a burden for some projects, especially small projects. It requires the paying of a fee, the calculation of a developer’s reasonable return, the provision of architectural elevations, among other requirements;

Whereas, it is the City’s intention to provide some zoning relief, consistent with city needs, and while avoiding the need for a DHCD Site Eligibility Letter.

A. All projects approved under this section must meet the following criteria:

1. At least 50% of the residential units being created shall be “Affordable Units.”
2. All permanent energy sources (thermal loads, hot water, and electric loads) shall be from grid-supplied electricity or otherwise not use fossil fuels (natural gas, propane, oil, wood). This shall not apply to emergency generators, outdoor grilling, or mobile energy uses. a). ....
3. Prior to obtaining a building permit, the applicant shall obtain ~~DHCD~~ approval as Local Initiative Program (LIP) units, so that all affordable units created under this section can be listed by DHCD on their Subsidized Housing Inventory.
4. Prior to obtaining a building permit, the applicant shall obtain Site Plan Approval (Section

; or b) show evidence of Commonwealth funding that requires units be counted on the DHCD SHI

B. The Planning Board may approve Affordable Housing projects as part of a Site Plan Approval when:

- 1. The allowable dwelling units per acre (density) of the entire project is 250% of that otherwise allowed by this zoning ordinance in the zoning district in which the property is located. There are no other minimum lot size requirements for any lots created under this section.**
  - 2. The minimum frontage, lot depth, and lot width is at least 40% of that otherwise required by this zoning ordinance in the zoning district in which the property is located.**
  - 3. When significant trees on the property are cut they shall be replaced on-site with new trees to the extent feasible without blocking solar photovoltaic or hot water systems, but no payment in-lieu is required when such planting is not feasible. Full mitigation is required for cutting public shade trees.**
  - 4. All other zoning applies and is complied with.**
- C. The Planning Board may issue a Special Permit for additional zoning dimensional and density relief when:**
- 1. The application specifically details requested zoning relief to ensure that the project and project permit conditions are not uneconomic, as defined by MGL 40B and 760 CMR 56.00.**
  - 2. The Planning Board finds that the project, with a Special Permit for the requested zoning relief, still meets Local Concerns (as defined in 760 CMR 56.00 and as evidenced by the City's master, comprehensive, and strategic plans).**
  - 3. The Planning Board finds that the Special Permit conditions of Section 350-10 are met.**

## In the Year Two Thousand Twenty One

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

### **21.189 AN ORDINANCE TO CREATE INCENTIVE FOR SMALLER HOUSES BY ALLOWING TWO HALF-SCALE UNITS TO COUNT AS A SINGLE-FAMILY FOR DENSITY PURPOSES**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to create an incentive for smaller residential units to be built in the URB and URC districts by allowing Half-Scale units to count as half a single regular sized unit for density purposes. Further, whereas electricity from an electric grid (which must meet state renewable energy portfolio standards and is more easily converted to renewable energy) will facilitate the City's effort to attain carbon neutrality by 2050, new projects created within this proposed zoning shall be built so all on-site systems are fossil fuel-free for thermal and electric loads.

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

Add a new definition in 350 2.1 as follows:

#### **DWELLING, Half-Scale**

A unit that is no larger than 800 square feet of gross living area. Within the table of uses where allowed and for the purposes of calculating total allowable density, two half-scale units shall be treated as one dwelling unit.

Amend Attachment 7(URB) & 8(URC) as follows:

Lot Dimensional Requirements

#### **Lot Size**

Single, Two family or Two Half-Scale units: 3,750 ft<sup>2</sup>

3+ units: 2,500 ft<sup>2</sup> minimum (min) per unit or per two Half-Scale units

#### **Uses Allowed By Right:**

- Single-, two-, three-family, multifamily, townhouses with six or fewer units, or 12 or fewer Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.

**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 ft<sup>2</sup> . This requirement applies to all uses except for: single family homes and up to 2 Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.

**Special Permit Approval Required for the Following Uses by Planning Board**

- Any multifamily or townhouse project creating seven or more units or 14 or more Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.