



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

Roll Call

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	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 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. 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, no later than 48 hours prior to the meeting.

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

Communications and Proclamations from the Mayor
Mayor Narkewicz gave a brief update on vaccination clinics. At the last meeting, he noted

from the Mayor

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 14th. The hearing was closed, but there was a continuation of discussion until February 8th. 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 8th, 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 2nd 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 NESAC 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 McMansion 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 neighborhoods. 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 2nd 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.

<p><u>20.182 Ordinance Relative to Demolition Review for Historically-Significant Buildings - 1st reading</u></p>	<p><u>20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings - 1st reading</u> 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 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. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of March 18, 2021 for second reading.</u></p>
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<p><u>RECESS</u></p>	<p><u>RECESS</u> The City Council recessed briefly at 9:47 p.m. The City Council reconvened at 9:55 p.m.</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 LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The following items were approved as part of the consent agenda: 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</u></p>
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	<p style="text-align: center;"><u>Services</u></p> <p><u>Planning Board</u> 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><u>Recess for Committee on Finance Meeting</u></p>	<p>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.</p>
<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement - 1st reading</u> <u>21.203 An Order to Discontinue a Portion of Sherman Avenue - 1st reading</u> <u>21.204 An Order to Release a Parking Easement on Glendale Road - 1st reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement - 1st reading</u> 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. <u>See minutes of March 18, 2021 for second reading.</u> <u>21.203 An Order to Discontinue a Portion of Sherman Avenue - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of March 18, 2021 for second reading.</u> <u>21.204 An Order to Release a Parking Easement on Glendale Road - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote. Councilor LaBarge moved to suspend rules to allow a second 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. <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 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

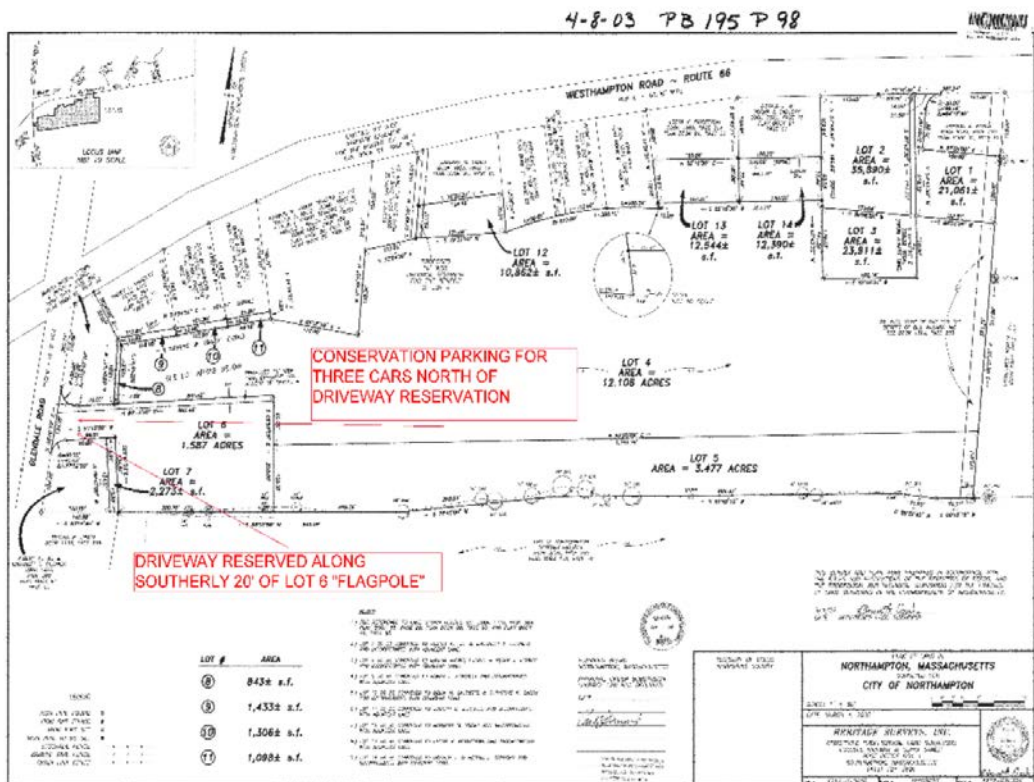
WHEREAS, The City has a buyer for Lot 6 and Lot 7 (previous lots from this limited development were donated to Habitat for Humanity and sold to a private party), who has proposed a driveway location consistent with future placement of a three-car parking lot within the Parking Easement; and

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 2nd reading)
21.194 Order to
Rescind Borrow-
ing Authority - 3
Votes - 2nd
reading

Financial Orders (in 2nd reading)

21.194 An Order to Rescind Borrowing Authority - 3 Votes - 2nd 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 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:

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

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 Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Day-care and Early Education Facility - 2nd reading

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:

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.

<u>Orders</u>	<u>Orders</u> None.
<u>Ordinances (Not Yet Referred)</u> <u>21.198 Ordinance Relative to a Stop Sign on Scanlon Avenue</u> <u>21.199 Ordinance Relative to Stop Signs on Cross Street</u>	<u>Ordinances (Not Yet Referred)</u> <u>21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue</u> <u>21.199 An Ordinance Relative to Stop Signs on Cross Street</u> 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.
<u>Ordinances</u>	<u>Ordinances</u> None.

<p><u>New Business</u></p>	<p><u>New Business</u> None.</p>
<p><u>Information (Charter Provision 2-7) & Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u> 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><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Foster and seconded by Councilor Maire, the meeting was adjourned at 10:57 p.m. The motion carried unanimously 9:0 by roll call vote. Attest: _____ Administrative Assistant to the City Council</p>

EXHIBIT A

List of Documents Reviewed at March 4, 2021 Northampton City Council Meeting:

1. March 4, 2021 Agenda
2. City Council Meeting Minutes of February 4, 2021
3. Email from Assistant OPS Director Carolyn Misch dated February 26, 2021 requesting withdrawal of **20.169 An Ordinance Relative to Two-Family By Right - Amendment to Projects Requiring Site Plan Approval.**
4. Powerpoint presentation entitled, "Two-Family Zoning," March 4, 2021 City Council
5. Email from Jess Johnson to Northampton City Council dated March 4, 2021 re: Please Support the Ordinance Relative to Two-Family By Right
6. 21.201 A Resolution in Opposition to State Incentives for Biomass Plants
7. 21.206 Appointment of David Whitehill to the Planning Board – Memo from Mayor David J. Narkewicz to City Council dated March 4, 2021 re: Appointments to Boards, Committees, and Commissions proposing the appointment of David Whitehill to the Planning Board
8. 21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement
9. 21.203 An Order to Discontinue a Portion of Sherman Avenue
10. 21.204 An Order to Release a Parking Easement on Glendale Road
11. 21.194 An Order to Rescind Borrowing Authority - 3 Votes
12. 21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement
13. 21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility
14. 21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue
15. 21.199 An Ordinance Relative to Stop Signs on Cross Street
16. 20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings
17. 20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions
18. 20.164 An Ordinance Relative to Two-Family By Right - Amendment to URA Table of Use
19. 20.165 An Ordinance Relative to Two-Family By Right - Amendment to URB-URC Tables of Use
20. 20.166 An Ordinance Relative to Two-Family By Right - Addition of Subsection to Ch. 350-6
21. 20.167 An Ordinance Relative to Two-Family By Right - Addition of WSP District Table of Use
22. 20.168 An Ordinance Relative to Two-Family By Right - Amendment to SR-RR Table of Use
23. 20.169 An Ordinance Relative to Two-Family By Right - Amendment to Projects Requiring Site Plan Approval
24. 20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11
25. 20.171 An Ordinance Relative to Two-Family By Right - Amendment to Parking Standards
26. 20.172 An Ordinance Relative to Two-Family By Right - Amendment to SC Table of Use

Record of City Council Votes for March 4, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
Roll Call by Laura Krutzler, Administrative Assistant to the City Council @ 7:31 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 present
21.201 A Resolution in Opposition to State Incentives for Biomass Plants - 1st reading	1st reading	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Amendment Adding Springfield City Council to the List of Recipients in the Final "Therefore Be it Resolved" Clause	Motion to amend	Yes	Yes	Yes	Second Yes	Yes	Yes	Motion to amend Yes	Yes	Yes	Motion carried 9:0; roll call
20.163 An Ordinance Relative to Two-Family By Right - Amendment to Definitions, 20.164 An Ordinance Relative to Two-Family By Right - Amendment to URA Table of Use, 20.165 An Ordinance Relative to Two-Family By Right - Amendment to URB-URC Tables of Use, 20.166 An Ordinance Relative to Two-Family By Right - Addition of Subsection to Ch. 350-6, 20.167 An Ordinance Relative to Two-Family By Right - Addition of WSP District Table of Use, 20.168 An Ordinance Relative to Two-Family By Right - Amendment to SR-RR Table of Use, 20.169 (Removed by Sponsors) An Ordinance Relative to Two-Family By Right - Amendment to Projects Requiring Site Plan Approval, 20.170 An Ordinance Relative to Two-Family By Right - Delete Sections 350-10.10 and 350-10.11, 20.171 An Ordinance Relative to Two-Family By Right - Amendment to Parking Standards, and 20.172 An Ordinance Relative to Two-Family By Right - Amendment to SC Table of Use as a Group	1st reading	Motion to approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
20.182 An Ordinance Relative to Demolition Review for Historically-Significant Buildings	1st reading	Yes	Yes	Yes	Second Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Motion carried 9:0; roll call
Approval of Consent Agenda		Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
RECESS FOR FINANCE COMMITTEE											
Approval of Minutes of February 4, 2021					Motion to approve Yes			Yes	Yes	Second Yes	Motion carried 4:0; roll call

Record of City Council Votes for March 4, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement					Second Yes			Motion to positively	Yes	Yes	Motion carried 4:0;
21.203 An Order to Discontinue a Portion of Sherman Avenue					Second Yes			Motion to positively	Yes	Yes	Motion carried 4:0;
21.204 An Order to Release a Parking Easement on Glendale Road					Yes			Motion to positively	Yes	Second Yes	Motion carried 4:0;
ADJOURN FINANCE					Yes			Motion to adjourn Yes	Yes	Second Yes	Motion carried 4:0; roll call
RESUME CITY COUNCIL MEETING											
21.202 An Order to Authorize Acceptance of Gifts of Labor and Materials for Sidewalk Repair or Replacement - 1st reading	1st reading	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.203 An Order to Discontinue a Portion of Sherman Avenue - 1st reading	1st reading	Second Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.204 An Order to Release a Parking Easement on Glendale Road - 1st reading	1st reading	Yes	Yes	Second Yes	Motion to approve Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0;
	Motion to suspend rules	Yes	Second Yes	Yes	Motion to suspend	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0;
	2nd reading	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.194 An Order to Rescind Borrowing Authority - 3 Votes - 2nd reading	2nd reading	Motion to approve Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 2nd reading	2nd reading	Yes	Yes	Yes	Motion to approve Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 2nd reading	2nd reading	Yes	Yes	Yes	Motion to approve Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.198 An Ordinance Relative to a Stop Sign on Scanlon Avenue	refer as a group	Motion to refer Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.199 An Ordinance Relative to Stop Signs on Cross Street											
Motion to Adjourn		Yes	Motion to adjourn Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call

At p.m., Councilor Foster moved to adjourn the meeting; Councilor Maiore seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No