



ORDINANCE REVIEW COMMITTEE

Members

Councilor Jeremy Dubs, Chair
Councilor Garrick Perry, Vice-Chair
Dane Kuttler, Citizen
Molly Moses, Citizen
Councilor Stanley Moulton, III

HYBRID MEETING – PUBLIC FORUM

Meeting Date: June 30, 2025,
Northampton Senior Center, 67 Conz Street
Time: 6 p.m.

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 6:04 p.m., Councilor Jeremy Dubs called the meeting to order. On a roll call, the following members were present: Councilor Dubs; Chair, Councilor Garrick Perry, Vice Chair; Councilor Stanley W. Moulton, III and Member Dane Kuttler. Member Molly Moses was absent on roll call but joined at 6:15 p.m. Also present were City Solicitor Alan Seewald and Administrative Assistant Laura Krutzler.

2. **INTRODUCTION**
Ordinance Review Committee members introduced themselves. Councilor Dubs explained that they decided to hold a public forum to hear residents’ ideas for new ordinances, amendments to existing ordinances or ordinances needing to be removed or replaced because of being out of date. He opened the floor to comments.

3. **ORDINANCE REVIEW COMMITTEE PUBLIC FORUM**
Ryan Griffiths, Ward 4, said he is here to ask them to please consider enacting/implementing a light pollution ordinance. Light pollution is a great problem in today’s world that often goes overlooked because it is something that just happens; lights are everywhere and what is lost is not always known. Northampton is one of the biggest light polluters in Hampshire County followed by Amherst. He feels like a lot can be done for a large return without much impact to daily life and Northampton’s action would encourage neighboring communities to review their own bylaws. Light pollution has a great impact. First of all, you can’t see the stars at night. It impacts local wildlife and fauna and has been shown to have a casual (causal?) link to a slight increase of cancer. It is a problem that takes very little to address in the public realm and will save people money by allowing them to use less light and use it more efficiently.

Ace Tayloe, Ward 3, they/them, said they are already really in favor of a lot of ordinances up for review, such as actually enforcing snow removal and allowing food trucks downtown. They would love it if city ordinances could be updated for gender-neutral language. They use they/them pronouns and notice a lot of cases of he/she

and some artifacts of just 'he.' They think using 'they' as a standard gender-unknown pronoun would make the code more inclusive and easier to read and reflect the community's values.

Also, in Massachusetts, it is only legal for men to be topless in public and they think that is a little unfair. The ability to be cool and comfortable in summer is morally-neutral to morally-positive and it doesn't make sense to discriminate on the basis of gender. It is mostly legal precedence that says females can't be topless. Nantucket has an ordinance that allows 'all-access toplessness' on beaches and they would love it if Northampton had a similar ordinance.

An argument can be made that some folks feel it is morally wrong. What they have found is that hearts and minds can be changed by policy; if an ordinance were in place, it might move it toward becoming more publicly accepted and acceptable.

Meg Robbins, Ward 4, presented a dilemma she encountered in the process of collecting signatures for an At-large City Council seat. A Hampton Court Apartments resident told her that, since 2020, she has had the issue of not being able to sleep on weekends. According to the resident, the problem began during COVID when Patria first got an extension from the License Commission to have music until 2 a.m. Tellus later took that space and somehow got the license extended to having disco nights on Friday, Saturday and Sunday during the summer.

[Molly Moses arrived at 6:15 p.m.]

She has now talked to several residents and, according to them, alcohol is being consumed between 10 p.m. and 2 a.m. The music is often very loud, and the worst part is the constant decibel level of the bass beat. Some people have bought white noise machines and one person told her she asked to move to another apartment. They seem to have gone through many steps of trying to get someone to help them without success.

Sealer of Weights and Measures John Frey came out to check the decibel level around midnight and said it didn't reach the level that would require mitigation but did not give them any numbers to go with it. She was told it wasn't as bad the night he came.

He said that even if the decibel level was really loud, once it got to the parking lot it was out of Tellus' control and it was the best they could do.

One person has called many people over the years and also called the police because when Tellus closes at 2 a.m., people come out into the parking lot and turn on more music and there are often fights. This particular person has taken the step of staying with someone else on the weekend.

The confusing thing is who to talk to since the problem falls under the noise ordinance enforced by the Building Department but also under an entertainment license issued by the License Commission. "Who do we talk to?"

The excessive noise is in conflict with the goal of trying to establish affordable housing downtown since she doesn't think people are going to want to live here if they can't sleep at night. "Right now you have constituents who are really, really, really sad," she reported.

While Tellus brings in revenue, “What’s the balance?” She asked, questioning the role of the city. She walked away feeling badly for these people and mostly feeling badly because they have talked to a lot of people who’ve said, ‘it’s not my problem.’ She is hoping people at this end will be able to iron this out and bring it to some resolution.

Dani McKahn, Perkins Avenue, said she would like to ask them to take a look at speed limits in the city. She shared the words of a colleague at ‘Strong Towns Northampton,’ where a mobility team has been working on better safety for pedestrians and cyclists: “Historically, changing regulatory speed limits has been notoriously difficult because of a laborious MassDOT approval process. However, in Section 10C of the procedures, Mass-Dot describes the process for setting 20 mph safety zones.”

The criteria is simple, she went on to say. The zone should be adjacent to an area that attracts vulnerable users and contain one or more areas with potential conflicts between motor vehicles and vulnerable road users warranting a reduction in speed, such as crosswalks, driveways or side streets. The minimum length of a safety zone should be at least a quarter ($\frac{1}{4}$) of a mile and not extend more than 500 feet beyond a side street unless an applicable land use continues along an adjacent block.

It is a tool they could be using but are not. She thought if they could codify it somehow, lay out a process for citizens to apply for it and bring it to the Transportation and Parking Commission (TPC), they could be a little more aggressive about lowering speed limits where criteria are met.

Cambridge started installing 660 of these 20 mph safety zones across the city in 2016.

While speed limit signs are admittedly not the main way speed is controlled, they are a way, she suggested. The most impactful way is how the road is actually designed. However, posted speed limits matter and can help build a case for redesigning the road to a lower speed when it is redesigned.

Thomas Nuhfer, Ward 1 (also Perkins Avenue) said he would like to follow up on his comment by sending an email with specific language and citations. Member Kuttler said he is welcome to send it to the administrative assistant.

Northampton has some ordinances designating it as a sanctuary city/safe community, he noted. Some great ordinances are already in place, but he thinks they could be bolstered. He cited Greenfield as a community with a more extensive ordinance which, among other things, stipulates that city officials are not permitted to inquire as to a resident’s immigration status unless required to by Federal or State law and prevents city officials from storing data related to residents’ immigration status unless required. Greenfield’s ordinance also requires that city officials not target with legal action or discriminate against medical, educational or faith institutions with a mission of providing refuge to immigrants and their families and prevents city officials from detaining or delaying the release of individuals eligible for release from custody on the basis of a civil immigration detainer request or ICE administrative warrant. He suggested adding those provisions to existing language to make it more robust.

He also has suggestions when it comes to climate and environmental ordinances, Mr. Nuhfer continued, such as a Metropolitan Area Planning Council checklist for low-impact development codes. He recommends everything on that list, including suggestions for stormwater, building and zoning regulations to encourage low-impact development, some of which Northampton is already doing.

He would love to see some ordinances to transition the city away from gas-powered landscaping equipment, especially leaf blowers, which contribute to noise pollution as well as carbon emissions. Cambridge has some regulations around this that could serve as a model.

He also would love to see contracts with the city seek to eliminate peat products. Peat and landscaping materials as harvested from peat bogs pull in a lot of carbon from the atmosphere and, when disturbed, release a lot of carbon, making them devastating for climate change.

In terms of human issues, he has been concerned about seeing green spaces where neighbors are sleeping in tents which have been treated with pesticides, in some cases by the city; in others, by utilities or other property owners. Regulations exist around the use of pesticides in residential areas and near schools but, unfortunately, not for areas where people may be sleeping outside. He wasn't able to find a model ordinance but suggested exploring an ordinance requiring posted notice of areas where pesticides or herbicides are regularly applied.

Finally, there are a lot of places where regulations could be introduced to help protect Northampton's ecosystem from invasive species. He is an invasive species and climate adaptation ecologist and so is happy to talk about this in more detail. Northampton has ordinances defining alteration of wetlands but invasive species are not currently considered wetland alteration. Adding invasive species to the definition of alteration as well as the definition of damage to the environment would go a long way.

In the zoning ordinance, some landscaping language allows for the planting of invasive species. He would like to see that shift to say that planting be limited to native species. Often municipal plantings are geared towards thinking about what's going to survive right here and now but, with drastic warming expected, thinking ahead to the future will serve them all better.

Alex Opray, Ward 1B, said his request is that the language around snowplowing, sidewalks, etc. get clarified or somehow better enforced. Some areas of King Street become impassable to anyone using a wheelchair or stroller. He uses a grocery cart and walks to get groceries and can't do that in the winter because the sidewalks are not cleared. He knows rental application fees are illegal in Massachusetts but that is not always enforced. Noho charges fees for every application and charges broker's fees equal to almost a month's rent. He would like to see some enforcement and ordinances either severely limiting or entirely removing brokers' fees.

He also recommends adopting a set of proposals around heat, including protection in contracts for city workers around heat safety. Cities like Boston require access to shade or water for people contracted by the city.

Also, leases are currently allowed to prohibit air conditioning and there is no requirement that nursing homes have A/C. City ordinances to address this would help a lot of people stay safe in the heat.

Councilor Dubs attempted to recognize Randy Sailer on Zoom but his voice was inaudible to those in the room. Councilor Dubs told him they would come back to him.

Colin Hoffmeister, Ward 3 (Phillips Place) referenced a press release from September of 2023 which stated that Mayor Sciarra recognizes the importance of transparency and ensuring that accurate information is readily available to all residents. Referring to the Planning Department, it said that the city is dedicated to fostering open communication and promoting community engagement. He has a recommendation for a change to city

ordinance to increase transparency and ensure residents' right to know when zoning changes affect their property. A zoning change is a major regulatory action, he pointed out. Northampton's current zoning (§350-3.5) requires that notices be mailed to the owners of land proposed for rezoning but homeowners next to that lot may not receive notice. This limits essential public feedback and oversight of development. This actually happened to him. In 2022, the city rezoned an adjacent parcel from residential (URC) to CB-side without notifying him or his neighbors. Three years later, in March of 2025, they learned that an apartment complex was proposed for that site. This development is out of character and disproportionate to the residential neighborhood, which is on the register of historic places, and has significant potential impacts in terms of traffic, parking, reduced privacy and blocking sunlight. Despite significant opposition, the Planning Board approved the project.

The original plan proposed for the lot in 2020 was for six condos and the neighborhood had no opposition to it. Apparently, the Planning Board was aware of the developer's change to a proposal for an apartment complex after the zoning change in 2022 but the neighborhood did not find out until 2025.

His request is to amend §350-3.5 to require written notification to abutters of any upcoming hearings concerning rezoning. This would be consistent with the approach used by towns such as South Hadley. This notification must include clear identification of the parcel numbers and the street.

His second recommendation is for an environmental ordinance; i.e. - a solar protection ordinance/solar rights for homeowners to ensure that the right to solar power not be blocked by future development. Massachusetts encourages residents to convert to solar power. He is doing that and has invested heavily and now this development may cost him tens of thousands of dollars.

Randy Sailer proposed two ordinances: 1) to require temporary pedestrian access route planning for work areas that substantially block sidewalks. There are places where sidewalks are blocked and folks that are able-bodied are forced to walk in the street. He thinks they need written plans, particularly with the upcoming work on Main Street. Across from the jail on Route 66 is a spot where the land falls away, taking the sidewalk with it and effectively blocking the sidewalk with no protected way around it. He thinks there are a lot of places where the sidewalk is temporarily blocked by people working on something.

2) a ban over time on the use of gas-powered leaf blowers. These are one of the most polluting appliances; their two-stroke engines are noisy and unhealthy for users and their pollution exacerbates climate change. Electric tools are becoming substantially better. Plenty of municipalities have enacted bans.

Erin Murray, faculty member in the Occupational Therapy Department at Western New England University and **former Northampton resident who now lives in Connecticut**, recommended amending §312-43(D) Accessible Parking to change the word 'handicapped' to 'reserved' on designated accessible parking spaces and change the old international symbol of access to the updated dynamic accessibility icon. This change has been in effect statewide in New York since 2013 and in Connecticut since 2017.

Northampton can make this happen without any extra costs in a budget-neutral manner by applying the change to new installations and replacing old signs as needed, she asserted. This can create a more inclusive society without impacting business budgets or taxpayer dollars. Using 'reserved' focuses on the purpose of the space rather than the condition of the person using it. Language evolves, and words such as 'reserved' are more neutral in line with more contemporary language practices. Updating language to be more respectful helps

promote inclusivity and reduce the stigma associated with disability. Reasons to change from the traditional stationary icon include 1) empowerment; it depicts a person in motion – conveying action, independence and capability - representing those with disabilities as active participants in society rather than as passive or stationary. 2) positive representation – the dynamic icon challenges stereotypes and shows that people with disabilities are mobile and can actively engage in various aspects of life.

She personally uses a chair when needed and needs to park closer to most stores but also has a job and value. Just because she needs to park closer does not mean she is a lesser member of society. She mentioned other cities that use the updated symbols, noting that they are substantial equivalents to the international symbol of access and in compliance with Massachusetts regulation 521 CMR 41 Signage. Officials in Salem, MA said there has been no pushback. It is a way to promote respect and dignity. She loves Northampton and would like it to consider taking this important step to provide recognition and dignity for all.

Dan Breindel, said he is suggesting a repeal of the form-based code, a giant omnibus ordinance passed in the very first days of this mayor's administration and several councilors' first weeks on the job. He doesn't think it was adequately reviewed. What they have seen in reality is that its function is the kind of upzoning that he and his neighbors have been dealing with.

23 residential lots were upzoned without a lot of notice and definitely without notifying the residents who live near them, not just to commercial but to Central Business Side Street (CB-side). This means not only that people building apartments can go to the highest density possible without building a single parking space but also gets rid of any sort of affordable housing, green space or environmental requirements. Lots of pollution is involved in the construction and operation of buildings; all of these protections get stripped under this new zoning designation (CBs), which frankly, is just a massive deregulation. A lot of regulations for affordability and green space were crafted and fought for for years and years, and all of them were stripped from many of the city's most attractive lots likely to see development and construction in the next couple of years.

If anybody watched the recent budget hearing, Council President Alex Jarrett noted that, despite all of these brand new buildings, not a single affordable unit credit was applied for. When requirements to limit size to increase affordability or provide affordable housing, green space or protections are lifted, developers just won't do it. They've now seen this played out a couple of times. If Northampton cares about affordable housing and the environment, Mr. Breindel thinks they really need to consider scaling back and striking the form-based code. The reality is that it is massive deregulation that is destroying the dream of affordable housing. If they're building a ton of high-density housing and not a single unit is affordable, they're driving rents up not down.

He really encourages the city to look into the form-based code. One of the reasons he's running for Mayor is to look into it and get rid of it. He thinks the more they look into it, the more they will discover horrifying things.

Member Kuttler asked Mr. Breindel if he could forward an email citing some of those codes and ordinances to the administrative assistant. Mr. Breindel said it was an omnibus package of ordinances and he is pretty sure she already has a copy.

Councilor Perry thanked everybody for coming out. The City Council has recently looked at light pollution and passed something to address it, he advised. Councilors have also worked on reducing speed limits and the

Ordinance Review Committee had already decided to look closer at the noise ordinance especially as the downtown becomes more vibrant.

They have looked into broker's fees and supported not allowing that.

Member Kuttler said she will have to take a look but it is her understanding that anyone in Northampton can be topless. That's what she was told when she moved here 20 years ago. In the Commonwealth, only people with flat chests are allowed to be topless in public but she was told that Northampton specifically permits anybody to be topless in public. She said she would look into whether that is codified.

On the subject of brokers' fees, Councilor Moulton said City Council adopted an order seeking special legislation to shift broker's fees from tenants to landlords. The state budget released today bans tenant-paid broker's fees throughout the state, he reported.

Councilor Moulton suggested to the chair that he would like to see the committee review the suggestions received tonight at their next meeting.

With regard to light pollution, Ryan Griffiths wondered if there might be a way to bolster the existing ordinance around indoor lighting. He doesn't know to what extent that could come into an ordinance.

Member Kuttler said they would endeavor to follow up with those folks who gave them their email addresses.

Councilor Dubs said the conversation will continue.

Gwen Nabad said that in Ward 1 along King Street where there are some apartment complexes there have been a lot of issues with excessive light in the back of buildings which she understands are owned by the state. The other issue people have experienced is the loudness of the train.

4. OTHER BUSINESS

None.

5. ADJOURN

Councilor Perry moved to adjourn. Councilor Dubs seconded. The motion passed unanimously 5:0 by voice vote. The meeting was adjourned at 7:03 p.m.

Respectfully submitted, Laura Krutzler.