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
City Council Chambers
Walter J. Puchalski Municipal Building
212 Main Street, Northampton
Meeting Date: March 19, 2020
Meeting Time: 7 p.m.

Note: Arrangements for remote participation by City Council members and members of the public are being made in accordance with Governor Baker's Emergency Order Modifying the State's Open Meeting Law. More information will be posted Monday.

1. **Announcement of Audio/Video Recording**
   This meeting is being audio/video recorded.

2. **Public Comment**

3. **Roll Call**

4. **Public Hearings**

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. **20.031 A Resolution in Support of the Empower Act - 2nd reading**

History:

- Passed 1st reading - 3/5/2020

Documents:

20.031 A Resolution in Support of the Empower Act.pdf

9. **Presentations**

10. **Consent Agenda**

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.

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

14. **Orders**

15. **Ordinances (Not yet Referred)**

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

16. **Ordinances**

A. **19.173 An Ordinance to Allow Change from One Conforming Use to Another without a Finding - 1st reading**

History:

- Referred to Legislative Matters (LM) and the Planning Board (PB) - 11/21/2019
- Positive recommendation with amendments, PB - 01/09/2020
- Public hearing opened and continued to 3/9/2020, LM - 2/10/2020

- Public hearing closed; positive recommendation with stipulation that OPS provide language for amendment to continue to require Findings for projects that don't otherwise trigger PB review (split vote - 3:1) - 3/9/2020

Documents:

19.173 An Ordinance to Allow Change from One Conforming Use to Another - w-PB amendments.pdf

9.3 post LM FINAL 3-11.pdf

B. 19.178 Zone Change Petition to Rezone 3 Wright Avenue from URC to GB - 1st reading

History:

- Referred to Planning Board (PB) and Legislative Matters (LM) - 12/5/2019
- Public hearing held, City Council adoption recommended by PB - 2/13/2020
- Public hearing held, positive recommendation, LM - 3/9/2020

Documents:

19.178 Zone Change Petition to Rezone 3 Wright Avenue from URC to GB.pdf

C. 20.004 An Ordinance to Rezone Nine Conz Street Parcels from NB to CB - 1st reading

History:

- Referred to Planning Board (PB) and Legislative Matters (LM) - 1/16/2020
- PB public hearing held, City Council adoption not recommended because design guidelines not in place [note: an ordinance has since been brought forward to change CBAC map to include Conz Street parcels rezoned to CB] - 2/13/2020
- Public hearing held; positive recommendation, LM - 3/9/2020

Documents:

20.004 An Ordinance to Rezone Nine Conz Street Parcels from NB to CB.pdf

D. 20.005 An Ordinance to Amend the Zoning Map on Old South Street and Clark Avenue - 1st reading

History:

- Referred to Planning Board and Legislative Matters - 1/16/2020
- PB hearing held, City Council adoption recommended - 2/13/2020
- Public hearing held, positive recommendation, LM - 3/9/2020

Documents:

20.005 An Ordinance to Amend the Zoning Map on Old South Street and Clark Avenue.pdf

E. 20.006 An Ordinance to Amend Zoning Map to Add New Smart Growth Overlay District at Laurel Street - 1st reading

History:

- Referred to Planning Board (PB) and Legislative Matters (LM) - 1/16/2020
- PB public hearing held, PB recommends City Council adoption - 2/13/2020
- LM hearing held, positive recommendation - 3/9/2020

Documents:

20.006 An Ordinance to... Overlay District at Laurel Street.pdf

F. 20.024 An Ordinance to Change CBAC Map to Include Conz Street Lots Rezoned to CB - 1st reading

History:

- Referred to Legislative Matters (LM) by City Council - 2/20/2020
- Positive recommendation, LM, split vote 3:1 with Sciarra opposed - 3/9/2020

Documents:

20.024 An Ordinance to Change CBAC Map to include Conz Street Lots Rezoned to CB.pdf

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

18. New Business

19. Adjourn

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

In the Year Two Thousand and Twenty

Upon the recommendation of the Northampton Mayor's Youth Commission, Councilor Michael Quinlan, Jr., Councilor Alex Jarrett, and Councilor William H. Dwight

R-20.031 A RESOLUTION
IN SUPPORT OF THE EMPOWER ACT

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

WHEREAS, in 2018 the Northampton City Council passed Resolution R-18.097 to petition the Massachusetts Legislature to allow the City of Northampton to establish a minimum voting age for residents of Northampton of sixteen years for all municipal elections.

WHEREAS, the Northampton Mayor's Youth Commission, the Northampton City Council, the Mayor of Northampton, and the Northampton Charter Review Committee have unanimously supported the lowering of the voting age to 16.

WHEREAS, the EMPOWER Act would permit 16 and 17-year-olds to vote in municipal elections in those cities and towns whose legislative body has voted to accept it.

WHEREAS, lowering the voting age will create a more perfect democracy in our municipality, by empowering young people to be involved in the local political system.

WHEREAS, the issues voted on at the municipal level such as School Committee and municipal spending on climate change mitigation, as well as many others, directly affect young people.

WHEREAS, the 16 and 17-year-olds of Northampton have already shown their passion for civic engagement and electoral politics through organizing strikes, marches, and walkouts, and hosting elected officials and candidates for elected office at youth-led forums.

NOW THEREFORE BE IT RESOLVED that the sponsors call upon the Northampton City Council to petition the Massachusetts Legislature to pass Senate Bill 389 and House Bill 720, of the 191st session, "An Act ensuring municipal participation of the widest eligible range", otherwise known as the EMPOWER Act.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the state sponsors of the Act, Senator Harriette L. Chandler and Representatives Andres X. Vargas and Dylan A. Fernandes; Chairs of the Joint Committee on Election Laws, Senator Barry R. Finegold and Representative John J. Lawn, Jr.; State Representative Lindsay Sabadosa; State Senator Jo Comerford; House Speaker Robert DeLeo; Senate President Karen Spilka and Governor Charles Baker.

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Nineteen

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

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 350-9.3 B1& 2 to be consistent with other sections of 9.3.

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

Amend as shown

§350-9.3 Change, extension or alteration of legally preexisting nonconforming structures, uses, or lots.

Legally preexisting nonconforming structures, uses, or lots may be changed, extended or altered as set forth below, except as noted in § 350-9.2A above. If a use is not eligible under one subsection, proceed to the next subsection.

B. A conforming use on a preexisting nonconforming lot: A conforming use on such a lot may be changed, extended or altered:

(1) As-of-right to the same or different conforming use in a conforming structure, which meets all the dimensional, and density provisions of the current zoning, except for the pre-existing non-conforming dimensional elements. ~~that are pre-existing non-conforming such as lot size, frontage, or depth~~ [AS1]~~and when the lot size, frontage, and depth requirements do not change.~~

~~**(2)** With a finding from the Zoning Board of Appeals when said change, extension or alteration is to a different conforming use which requires the same or less minimum lot area, minimum lot width and frontage, minimum lot depth, setbacks, and parking than is required for the present use .(and lot does not fully conform to the present zoning requirements for the proposed use).~~

Renumber subsequent subsections based upon the deletion above.

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Nineteen

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

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 350-9.3 B1& 2 to be consistent with other sections of 9.3.

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

Amend as shown

§350-9.3 Change, extension or alteration of legally preexisting nonconforming structures, uses, or lots.

Legally preexisting nonconforming structures, uses, or lots may be changed, extended or altered as set forth below, except as noted in § 350-9.2A above. If a use is not eligible under one subsection, proceed to the next subsection.

B. A conforming use on a preexisting nonconforming lot: A conforming use on such a lot may be changed, extended or altered:

(1) As-of-right to the same conforming use in a conforming structure, which meets all the dimensional, and density provisions of the current zoning, except for the pre-existing non-conforming dimensional elements. ~~that are pre-existing non-conforming such as lot size, frontage, or depth and when the lot size, frontage, and depth requirements do not change.~~

(2) With a finding from the Zoning Board of Appeals when said change, extension or alteration is to a different conforming use which a) meets all the dimensional~~,~~ and density provisions of the current zoning, except for the pre-existing non-conforming dimensional elements and b) ~~when the change~~ does not trigger a review under other sections of the Zoning Ordinance by any other Board. When no other board is required to review the ~~project~~ proposed change, extension or alteration, the Zoning Board shall make a Finding as defined in 9.2B. ~~which requires the same or less minimum lot area, minimum lot width and frontage, minimum lot depth, setbacks, and parking than is required for the present use .(and lot does not fully conform to the present zoning requirements for the proposed use).~~

~~**Renumber subsequent subsections based upon the deletion above.**~~

Etheredge & Steuer, P.C.
ATTORNEYS AT LAW
64 GOTHIC STREET
NORTHAMPTON, MASSACHUSETTS 01060

EDWARD D. ETHEREDGE
SHELLEY STEUER*▲

*Also Admitted in New York
▲Also Admitted in California

(413) 584-1600

FAX (413) 585-8406
ed@noholaw.com
ss@noholaw.com

November 18, 2019

RECEIVED
NOV 20 2019
CITY CLERKS OFFICE
NORTHAMPTON, MA 01060

Ryan R. O'Donnell, City Council President
City of Northampton
210 Main Street
Northampton, MA 01060

RE: 3 Wright Avenue
Zone Change Petition URC to UB

Dear Council President O'Donnell:

On behalf of Gretna Green Development Corp., owner of the property at 3 Wright Avenue (39A-019-001) and the enclosed Petition For A Zoning District Change signed by ten registered voters for the City of Northampton, pursuant to G.L. c. 40A, §5 to initiate an amendment to the Northampton Zoning Map.

The requested change to the Zoning Map is to include the property at 3 Wright Avenue in the abutting GB zoning district from its current regulation in the URC zoning district. The property at 3 Wright Avenue is presently a vacant lot. The owner, Gretna Green Development Corp. owns the abutting property at 118 Conz Street (Map 39A, Lot 20) which is occupied by its tenant, NETA. The lots have "merged" for zoning purposes.

Gretna Green wishes to develop the lot as additional parking for the property at 118 Conz Street operated by NETA and requires the zoning district change to apply for site plan review for additional parking for NETZ.

Your earliest action to move this process forward is much appreciated.

Sincerely,

Edward D. Etheredge

EDE/kap

cc: Carolyn Misch, Sr. Planner
Councilor James Nash

GRETNA GREEN DEVELOPMENT CORP.
One Monarch Place, Suite 2500
Springfield, MA 01144

October 30, 2019

Ryan R. O'Donnell, City Council President
City of Northampton
210 Main Street
Northampton, MA 01060

RE: 3 Wright Avenue
Zone Change Petition URC to UB

Dear Council President O'Donnell:

Gretna Green Development Corp. is the owner of the property at 3 Wright Avenue (39A-019-001), and pursuant to G.L. c. 40A, §5 by this letter requests the Northampton City Council to initiate an amendment to the Northampton Zoning Map.

The requested change to the Zoning Map is to include the property at 3 Wright Avenue in the abutting GB zoning district from its current regulation in the URC zoning district. The property at 3 Wright Avenue is presently a vacant lot. The owner, Gretna Green Development Corp., owns the abutting property at 118 Conz Street (Map 39A, Lot 20) which is occupied by its tenant, NETA. The lots have "merged" for zoning purposes.

Gretna Green wishes to develop the lot as additional parking with the property at 118 Conz Street which is operated by NETA and requires the zoning district change to apply for site plan review for additional parking for NETA.

Your earliest action to move this process forward is much appreciated.

Sincerely,

Paul C. Picknelly,
President and Treasurer

PETITION FOR AMENDMENT
OF THE ZONING MAP

To: Northampton City Council
Northampton Planning Board

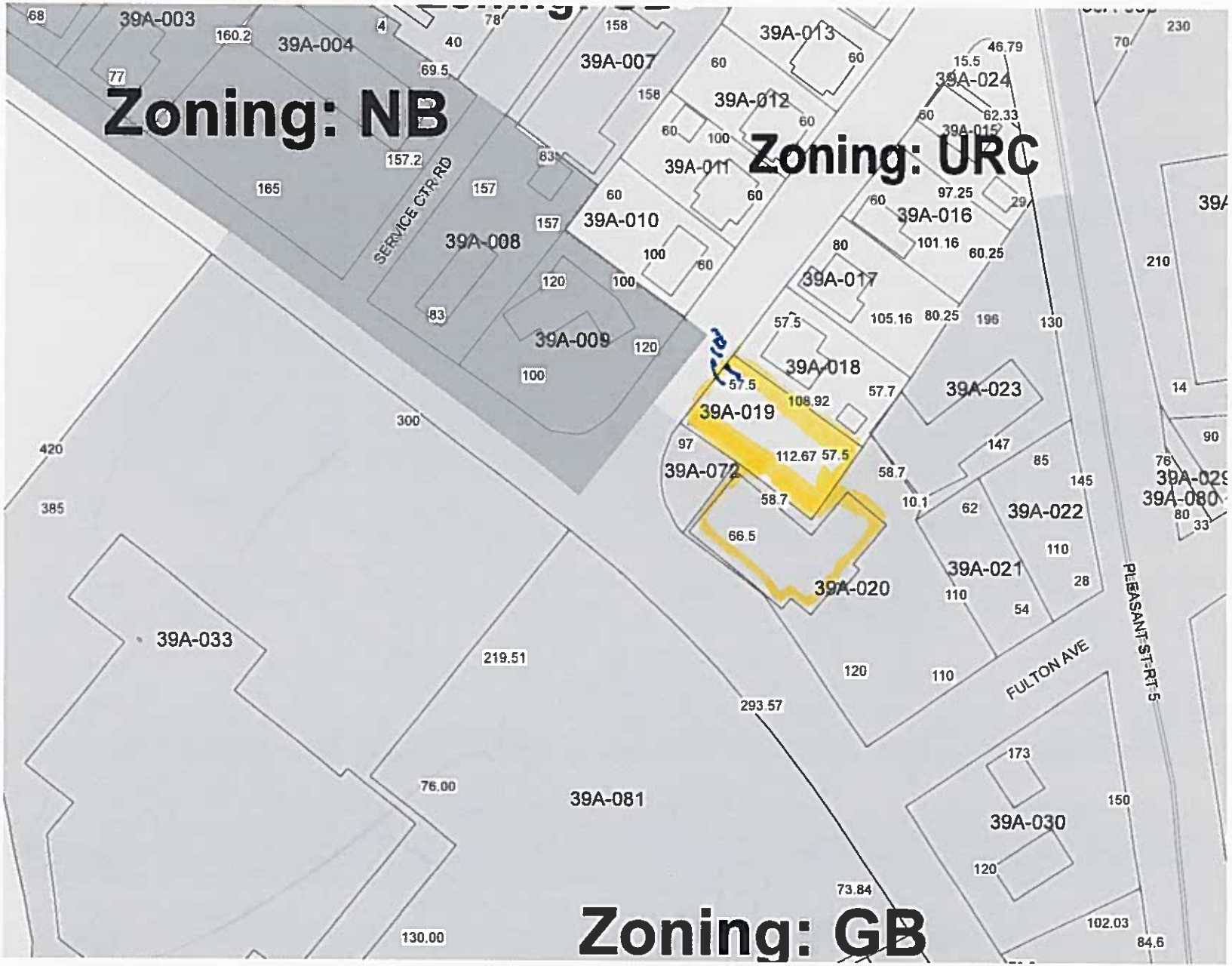
Pursuant to G.L. c. 40A §5, ten registered voters in the City of Northampton, petition the City Council to change the zoning district for the vacant lot at 3 Wright Avenue from the current zoning in the URC district to the adjoining GB zoning district.

"To amend the Zoning Map of the City of Northampton
to include the property at 3 Wright Avenue, Map 39A, Lot 19 in the
GB zoning district (change from URC) to match the
adjoining Conz Street property owned
by the same owner Gretna Green Development Corp.
in the GB zoning district".

Respectfully Submitted

Ten Registered Voters:

Print Name	Signature
Edward D. Etheredge	Edward D. Etheredge
Shelley Steuer	Shelley Steuer
Sharianne Walker	Sharianne Walker
Nancy Reeves	Nancy Reeves
Mary Ann Jenkins	Mary Ann Jenkins
Scott A King	Scott A King
Robert G. Ghazey	Robert G. Ghazey
Rebecca L LaRocque	Rebecca L LaRocque
E. Spencer Gharzy Bates	E. Spencer Gharzy Bates
Frederick Reist	[illegible]
Nicholas Grimaldi	[illegible]
Darrie A. Bluemer	Darrie A. Bluemer


Zoning: NB
Zoning: URC
Zoning: GB
39A-003
39A-004
39A-007
39A-013
39A-024
39A-012
39A-015
39A-011
39A-010
39A-016
39A-008
39A-017
39A-009
39A-018
39A-023
39A-019
39A-072
39A-022
39A-021
39A-020
39A-033
39A-081
39A-030
39A-029
39A-080
SERVICE CTR RD
FULTON AVE
PLEASANT ST-RT 5

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

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

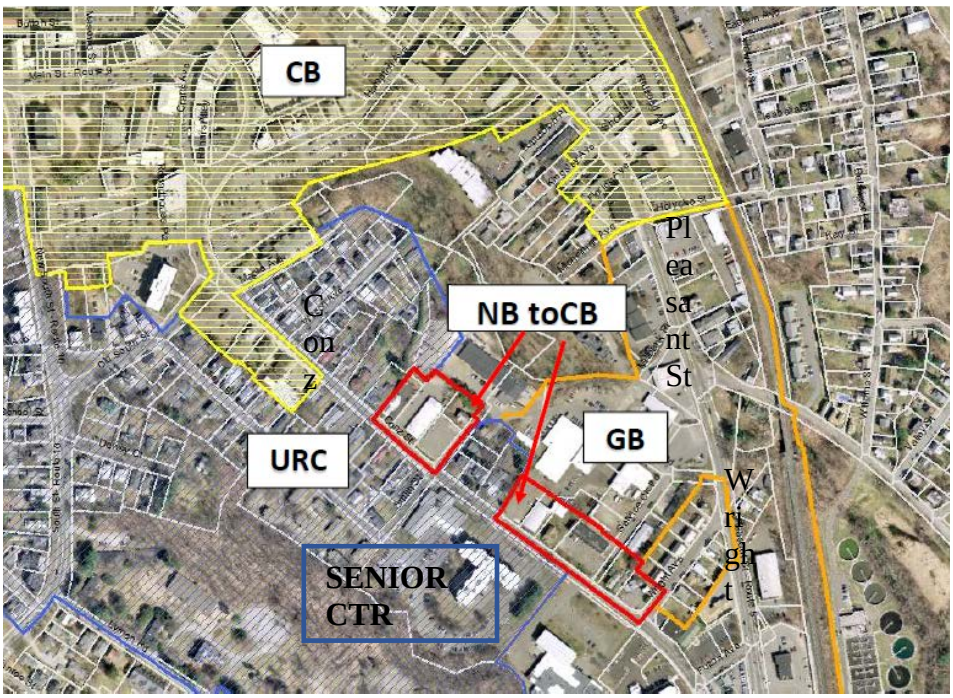
20.004 An Ordinance to Rezone Nine Conz Street Parcels from NB to CB

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 350-3.4 Zoning Map to rezone some parcels in Neighborhood Business to Central Business.

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

Amend the Zoning Map as shown

Rezone Map Id's along Conz Street from Neighborhood Business to Central Business:
32C-102
32C-104
32C-105
32C-131 NB Portion Only
39A-002
39A-003
39A-004
39A-008
39A-009


CB
NB toCB
GB
URC
SENIOR CTR
Pleasant St
Wright

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

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

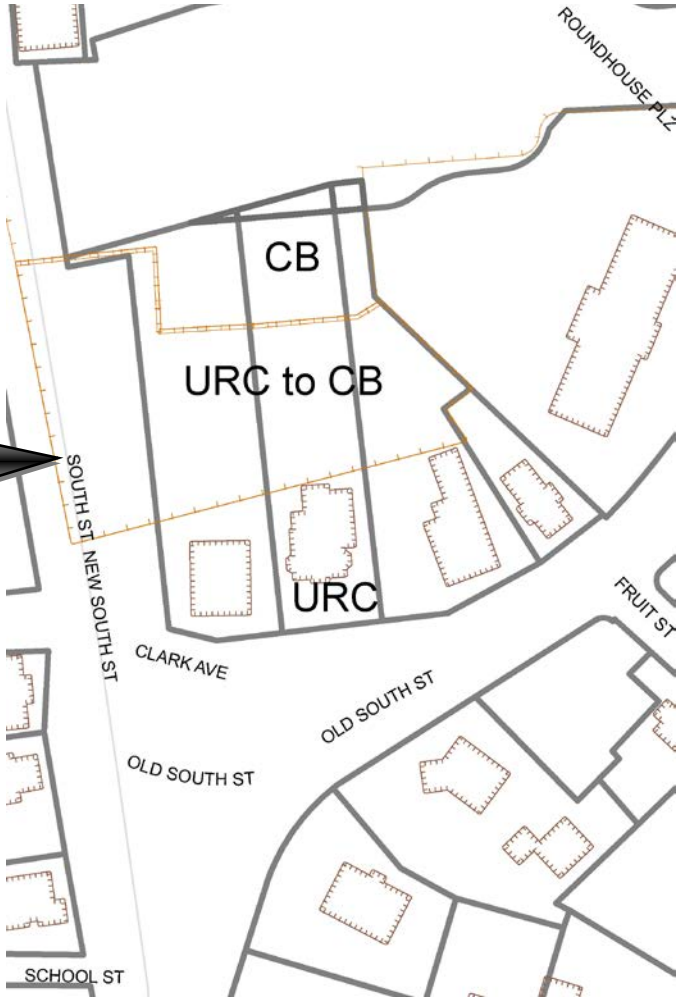
20.005 An Ordinance to Amend the Zoning Map on Old South St. and Clark Ave.

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to change the boundary between Central Business (CB) and Urban Residential-C (URC) zoning districts.

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

Amend
{§ 350-3.4 Zoning Map to expand the limits of Central Business (CB) zoning district behind the first set of homes on Old South Street and Clark Avenue, on a portion of Map ID 38A-222, 223, and 224, as shown below.

This change would keep the homes on Old South Street and Clark Avenue within the Urban Residential C (URC) zoning district but would expand the CB slightly in the rear yards of those homes.}



City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

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

20.006 An Ordinance

to Amend Zoning Map to Add New Smart Growth Overlay District at Laurel Street

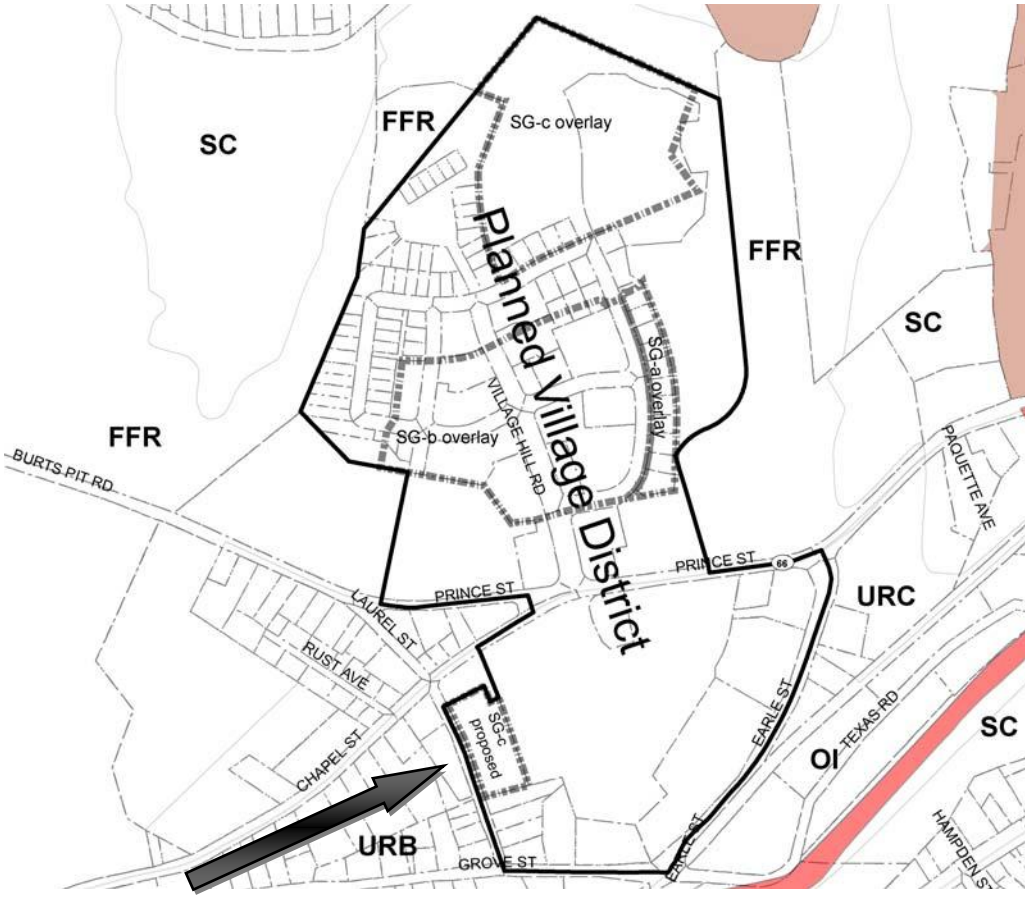
An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to add a new Smart Growth-c overlay district.

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

Amend

{§ 350-3.4 Zoning Map to add additional Smart Growth-c overlay district (SG-c), in addition to the existing three SG overlays, overlain on the existing Planned Village District (PV), on Map ID 38A-049-001, as shown below.

SG-c does not increase the allowed density (the existing PV has no minimum lot size, frontage, width, depth, or setback requirements) but does allow Commonwealth Smart Growth Overlay bonus to the City for affordable housing. Map 38A-049 has already been dedicated to affordable housing by the City's State Hospital reuse planning and the resulting state legislation.}



City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

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

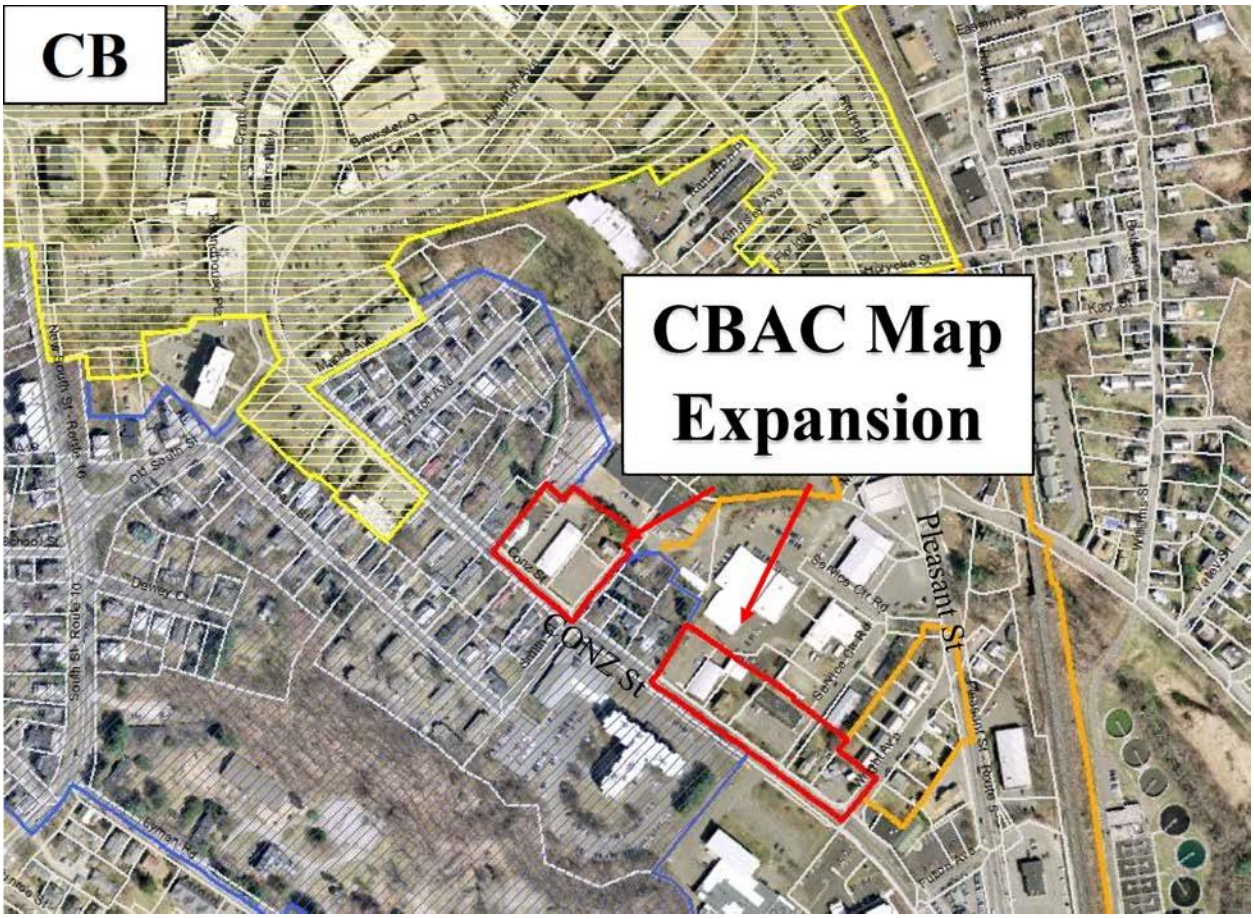
20.024 An Ordinance to Change CBAC Map to Include Conz Street Lots Rezoned to CB

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 156-2 CBAC Map to include parcels to be rezoned from NB to CB along Conz Street.

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

Amend the CBAC Map as shown

Map Id's along Conz Street:
32C-102
32C-104
32C-105
32C-131 Current NB Portion Only
39A-002
39A-003
39A-004
39A-008
39A-009


CB
CBAC Map
Expansion
CONZ St
Pleasant St
Old South St
South St - Route 10
Lyman Rd
Victoria Rd
Service Ctr Rd
Pleasant St - Route 5
Holyoke St
Kingsley Ave
Eastern Ave
Isabella St
Key St
S Summer St
Valley St
Fuller Ave
Lowell St
Smith St
Derby Dr
Sewster Dr
Maple Ave
Pleasant Ave
Shoal St
Fairmount Ave
Bartlett Ave
Cindy Ave
Hawthorne Ave
Bellevue St
School St