



**Committee on Legislative Matters
and the Northampton City Council**

Members

Councilor Alex Jarrett, Chair

Councilor Marissa Elkins, Vice Chair

Councilor Stanley W. Moulton, III

Councilor Jim Nash

MEETING AGENDA

Date: July 11, 2022

Time: 5:30 p.m.

Video Teleconference

The July 11, 2022 Legislative Matters Committee meeting will be held by remote participation. The public can join the virtual meeting by phone or by computer. The meeting will be recorded for later broadcast on Comcast Channel 15 and uploaded to the Northampton Government Video Archive on YouTube.

Live public comment will be available using zoom link or telephone call-in beginning at 5:30 p.m.

INSTRUCTIONS FOR CALLING IN OR JOINING THE MEETING

[PUBLIC MEETING LINK](#)

For telephone call-in, call:

+929 436-2866 US

MEETING ID: 897 5659 8600

PARTICIPANT #: #

PASSCODE: 279513

- 1. Meeting Called to Order and Roll Call**
- 2. Announcement that meeting is being audio/video recorded**
This meeting is being audio and video recorded.
- 3. Public Comment**
- 4. Approval of Minutes of Previous Meetings**

5. 5:30 P.M. Public hearing on proposed zoning change

Public hearing notice published June 27, 2022 and July 4, 2022 in the Daily Hampshire Gazette per M.G.L. Chapter 40A, Section 5.

Documents:

[Public Hearing Notice for 7-11-22 LM Meeting.pdf](#)

A. 22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial, referred to Planning Board, Community Resources and Legislative Matters - 5/19/2022

History:

- Referred to Planning Board, Community Resources Committee and Legislative Matters - 5/19/2022
- Planning Board (PB) hearing held - 6/9/2022
- Positive recommendation, PB, with request that Bombyx meet with abutters to discuss operating conditions/restrictions - 6/9/2022
- Positive recommendation, Community Resources - 6/27/2022

Documents:

[22.110 Florence Congregational Church Development Agreement.pdf](#)

[22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial.pdf](#)

6. Items Referred to Committee

A. 22.133 An Order for Special Legislation Relative to Creditable Service of William Dwight, referred by City Council - 6/16/2022

Documents:

[22.133 An Order for Special Legislation Relative to Creditable Service of William Dwight.pdf](#)

7. New Business

A. Reconsideration of regular meeting time

8. Adjourn

Contact Alex Jarrett at (413) 320-4700

ajarrett@northamptonma.gov

COUNCILORS

AT LARGE

Marissa Elkins
Jamila Gore



WARD

- 1 Stanley W. Moulton, III
- 2 Karen Foster – Vice President
- 3 James Nash – President
- 4 Garrick Perry
- 5 Alex Jarrett
- 6 Marianne L. LaBarge
- 7 Rachel Maiore

CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

NORTHAMPTON PUBLIC HEARING
JULY 11, 2022

The City Council Committee on Legislative Matters will hold a public hearing by remote participation on Monday, July 11, 2022 beginning at 5:30 p.m. on the following proposed change to the Zoning Ordinance of the City of Northampton, Massachusetts. Instructions for accessing the hearing may be found on the July 11, 2022 Legislative Matters agenda to be posted on www.northamptonma.gov no later than 48 hours prior to the meeting:

5:30 p.m. Zoning Map Amendment to change 130 Pine St, Florence, Florence Congregational Church, from URB to Office Industrial, Map ID 23A-146.

Publish date: June 27, 2022 and July 4, 2022

Bill to: City Council Office Account #: 17225

DEVELOPMENT AGREEMENT

WITNESS this Development Agreement (hereinafter referred to as "Development Agreement") dated as of the day of , 2022 made by and between the City of Northampton, a Massachusetts municipal corporation with a usual place of business at City Hall, 210 Main Street, Northampton, Massachusetts, acting by and through its Mayor "Northampton"),

Florence Congregational Church 130 Pine Street, Florence, Massachusetts (hereinafter referred to as The Church,

RECITALS

WHEREAS, Florence Congregational Church has tenants at (Parcel Id No. 23A-146-) as more particularly described in a deed dated recorded in Hampshire County Registry of Deeds, Book (hereinafter referred to as "130 Pine Street"); and

WHEREAS, The Church has petitioned Northampton to have the zone classification of the Property changed from Urban Residence-B (URB) to Office Industrial (hereinafter referred to as the . Zone Change"); and

WHEREAS, as a means ensure the preservation of the historic church building that is currently a space used by the Florence Congregational Church as well as others The Church has offered to impose a permanent historic preservation restriction on the historic elements of the building and to maintain the building on the site in order to preserve the nature of the property while allowing a variety of reuse options within the property.

NOW THEREFORE, for ONE (\$1.00) DOLLAR and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. The parties hereto shall properly execute this Development Agreement and a Historic Preservation Restriction and have same recorded in the Hampshire County Registry of Deeds.
2. The above-described Property shall be subject to the following restrictions:
An historic preservation restriction granted to the City of Northampton in the care and custody of the Historical Commission, preserving the key character-defining features visible from the road (and not necessarily meeting federal or state preservation standards for the entire building). The existing building may be expanded. Portions of the building that are not part of the original architecture of the building and which do not contribute to the historical or architectural significance of the building as determined by the Planning Board, with input from the Historical Commission, may be demolished.

The above-described limitations are perpetual and can be modified or extinguished only by approval of the Mayor upon positive recommendation of the Northampton City Council.

3. Northampton, and The Church agree that if the Zone Change is not approved by City Council within five (5) months from the date hereof, or the Zone Change is subsequently determined to be invalid, illegal, or unconstitutional by the Attorney General of the Commonwealth of Massachusetts or by a court of competent jurisdiction the provisions of this Development Agreement shall be null and void.
4. In that event, the parties hereto agree to act in good faith and with reasonable promptness in executing a notice stating that the above-described restrictions are null and void so that said notice can be recorded in the Hampshire County Registry of Deeds.

5. It is the intent of the parties hereto that this Agreement shall supersede the interest of any mortgagee encumbering the property so that said mortgage will be subordinated to this Development Agreement.
6. This Development Agreement shall be deemed to have been executed within the Commonwealth of Massachusetts, and the rights and obligations of the parties hereto shall be construed and enforced in accordance with and governed by the laws of the Commonwealth of Massachusetts.
7. This Development Agreement is binding upon and shall inure to the benefit of and shall be enforceable by the parties hereto, their respective agents, representatives, officers, directors, divisions subsidiaries, affiliates, assigns, heirs, successors in interest, and shareholders.
8. This Development Agreement may be executed in counterparts, and when each party has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterparts, shall constitute one agreement, which shall be binding upon and effective as to all parties.

EXECUTED AS A SEALED INSTRUMENT THIS DAY OF , 2022.

Witness

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this day of , 2022, before me, the undersigned notary public, personally appeared , proved to me through satisfactory evidence of identification, which was to be the persons whose names are signed on the preceding document in my presence and acknowledged to me that they signed it voluntarily for its stated purpose.

, ss.

Notary Public:

My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Date

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this day of , 2022, before me, the undersigned notary public, personally appeared , Mayor of the City of Northampton, proved to me through satisfactory evidence of identification, which was : , to be the person whose name is signed on the preceding document in my presence and acknowledged to me that she signed it voluntarily for its stated purpose as the free act and deed of the City of Northampton, Massachusetts.

Notary

My Commission Expires:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty Two

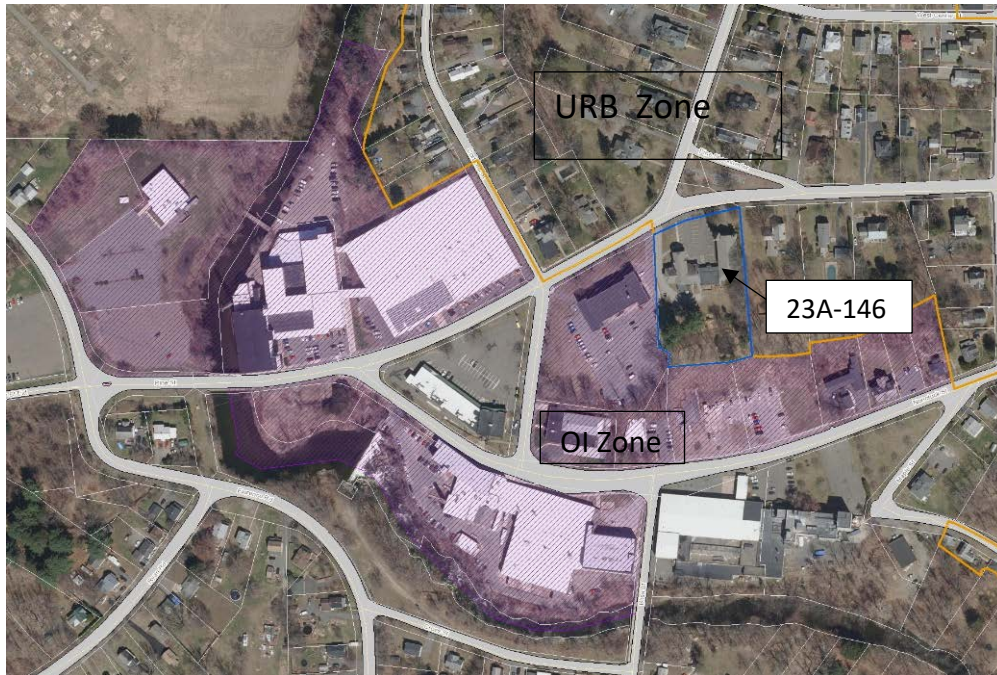
Upon the Recommendation of the Mayor, and Office of Planning & Sustainability

22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending the Zoning Map to expand the Office Industrial District as shown.

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

Amend 350 3.4 as shown to rezone parcel 23A-146 from URB to OI:



City of Northampton
MASSACHUSETTS

In City Council, June 16, 2022

Upon the recommendation of the Councilor Marissa Elkins

22.133 An Order for Special Legislation Relative to Creditable Service of William Dwight

Ordered, that

WHEREAS, William Dwight served as Ward One councilor for four terms, 1998-2005, during which time he did not opt in to the retirement system.

WHEREAS, Mr. Dwight returned to the City Council for five terms as Councilor-at-Large, serving from 2012 through 2021.

WHEREAS, During his 18 years of service on the City Council, Mr. Dwight earned at least \$5,000 per year.

WHEREAS,

NOW, THEREFORE, BE IT ORDERED

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT DIRECTING THE NORTHAMPTON RETIREMENT BOARD TO GRANT CREDITABLE SERVICE TO WILLIAM DWIGHT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Notwithstanding any general or special law, rule or regulation to the contrary, the Northampton retirement board shall credit William Dwight, a member of the Northampton retirement system, with creditable service for the period of January 3, 2012 to January 1, 2014, inclusive, for the purpose of determining his superannuation retirement allowance pursuant to paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws. Before the date that any retirement allowance becomes effective in the case of William Dwight, he shall pay into the annuity savings fund of the retirement system of the city in one (1) sum or installments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous service, plus buyback interest.

This act shall take effect upon its passage.