

## ***Committee on Rules, Orders, Appointments, & Ordinances***

***Councilor David A. Murphy***  
***Councilor Maureen T. Carney***  
***Councilor Ryan R. O'Donnell***

***Minutes of Meeting Date:***

***Meeting Time:***

City Council Chambers, 212 Main Street  
Northampton, Massachusetts

*\*Activate NCTV Camera to Record Minutes*

10/13/2015 - Minutes

### **1. Meeting Called To Order**

At 5:05 pm Councilor Murphy called the meeting to order.

#### **A. Announcement Of Audio/Video Recording Of Meeting**

Councilor Murphy announced that the meeting would be video taped.

#### **B. Members Present/Absent**

Absent: Councilor Carney

Present: Councilors Murphy and O'Donnell

### **2. 5:05 P.M. Public Hearing Regarding Zoning Standards For Significant Trees**

Motion to Open: Councilor O'Donnell; Second: Councilor Murphy; Approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

Sr. Land Planner Carolyn Misch shared the changes made to the ordinance; there is a slight addition to the ordinance then that which was sent to the committee last week. This change was introduced in the Planning Board Public Hearing. An amendment was made to add a section regarding removal of a certain size tree. The objective is to keep an eye out for when specific trees are removed, and hopefully replace those trees with ones that will encourage preservation of shade coverage.

The Ordinance defines certain terms related to trees & creates a set of criteria if a development project is moving forward that may include the removal of trees.

The requirements of the ordinance will not apply to trees located on property under the jurisdiction of the Conservation Commission, City owned trees, Trees associated with emergency projects, and trees that are diseased or are hazardous.

When removing a significant tree, specific requirements must be met. These are specified in the Ordinance. If the tree cannot be replaced, there is an option to pay into a fund so that a tree can be replaced as close to the removed tree as possible. The account where the funds will be kept has not yet been established. The amount will be determined based on the cost of the tree plus the cost to plant and

maintain the tree for 24 months.

Certain other requirements address protecting significant trees during construction. The requirements will be established based on the type of the tree and how big it is. On private property where no work is planned, this ordinance will not apply.

Councilor O'Donnell reviewed many errors in the document and asked that appropriate changes be made.

Councilor Murphy noted problems for continuity of ownership. He feels that leaving it open ended may handicap a new owner of any property if the previous owner took down trees and didn't replace trees as required.

Revolving fund will be dealt with by the Finance Committee.

Motion to close the Public Hearing made By: Councilor O'Donnell

This item will be continued to the November meeting as the committee has asked that the issue of new owner responsibility be clarified. Councilor Murphy asked that the language regarding the responsibilities of new owners be defined when a former owner removed trees on property that would be regulated by this ordinance.

Motion to close the Public Hearing made By: Councilor O'Donnell; Second: Councilor Murphy The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

**3. 5:15 P.M. Public Hearing Regarding Zoning Standards For Rural Residential And Suburban Residential Areas**

Motion to Open: Councilor O'Donnell; Second: Murphy; the motion was approved on a voice vote of 2 yes, 0 No, 1 Absent (Councilor Carney).

Carolyn Misch went through the changes that are being introduced to both Ordinances. Essentially, the modifications update the layout for the suburban residential district, eliminate nursing care/assisted living allowances, remove junk car allowances for businesses and modify setbacks for ground mounted photovoltaic systems. Lot size requirements have been simplified. The residential incentive overlay section has been removed. Community centers have been removed from the RR specifications; they now require special permit.

Councilor O'Donnell cited two typographical errors: First, it appears that under the Site Plan Approval section the information pertaining to Detached Accessory Dwelling Unit is duplicated. Second, under Special Permit Approval required for the following uses.....there is a second "section" symbol in the line that deals with "New Telecommunications facility".

Motion to close the public hearing made by Councilor O'Donnell; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Murphy).

Councilor O'Donnell moved to return the ordinances back to City Council with a positive recommendation; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

**4. Public Comment**

None

**5. Approve Minutes Of The Previous Meeting**

Councilor O'Donnell moved to approve the minutes of September 14, 2015; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (councilor Carney).

## 6. Orders And Ordinances For Review

### A. 15.492 Ordinance Pertaining To Rural Residential Zoning

See notes under the Public Hearing above.

### B. 15.493 Ordinance Pertaining To Suburban Residential Zoning

See notes under the Public Hearing section above.

### C. 15.377 Ordinance Pertaining To Zoning For Significant Trees

See notes under Public Hearing above.

### D. 15.501 Ordinance Pertaining To Bike Lanes On N. Elm Street

The lines that establish the bike lanes on North Elm St. and Prospect St. have already been painted. This measure simply codifies the lane locations.

Councilor O'Donnell moved to return the Ordinance back to City Council with a positive recommendation; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

### E. 15.502 Ordinance Pertaining To South Street

Councilor O'Donnell explained that one space in front of a bus stop near Columbus Avenue needs to be eliminated - it creates a visibility issue when a car is parked in that location.

Councilor O'Donnell moved to amend the Ordinance based on input from the Department of Public Works. The space will be from Columbus Ave. to a point 65 feet southerly.

Councilor O'Donnell moved to send back to City Council with a positive recommendation as amended; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

## 7. Appointments For Committee Approval

None

## 8. New Business

None

## 9. Adjourn

At 6:10 pm Councilor O'Donnell moved to adjourn the meeting; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

*Respectfully submitted by  
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