# Committee on Legislative Matters and the Northampton City Council

*Members:*
*Councilor David A. Murphy, Chair*
*Councilor Ryan R. O'Donnell*
*Councilor Gina-Louise Sciarra*
*Councilor James Nash*

MEETING AGENDA

Date: December 12, 2016
Time: 5:00 pm
Location: City Council Chambers
212 Main St., Northampton, Massachusetts

**pm**

1. **Meeting Called to Order and Roll Call**

2. **Public Comment**

3. **Approve minutes of the November 14, 2016 meeting**

   Documents:

   Committee_On_LegislativeMatters_November_14_2016.pdf

4. **Items Referred to Committee**

5. **16.184 - Relative to Heavy Equipment Operation**
   Positive recommendation from TPC as amended.

   Documents:

   16.184_Heavy_Equipment.pdf

6. **16.213 RELATIVE TO PARKING ON CENTER STREET AND MARKET STREET**
   Already considered by TPC

   Documents:

   16.213_pic.pdf
   16.213_Market_Center_Street.pdf

7. **16.214 RELATIVE TO A YIELD SIGN ON MAPLE STREET**

Already considered by TPC.

Documents:

16.214_Yield_Maple_St.pdf

8. **Discussion Regarding Process for Agenda Items**

9. **New Business**

10. **Adjourn**

*Prepared By:*
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# Committee on Legislative Matters and the Northampton City Council

*Members:*
*Councilor David A. Murphy, Chair*
*Councilor Ryan R. O'Donnell*
*Councilor Gina-Louise Sciarra*
*(Vacant)*

**MEETING MINUTES**
**Date: November 14, 2016**
**Time: 5:00 pm**
**Location: City Council Chambers**
**212 Main St., Northampton, Massachusetts**

1. **Meeting Called to Order and Roll Call:** At 5:04 pm Councilor Murphy called the meeting to order. Present at the meeting were Councilors Murphy, O'Donnell and Sciarra. Also present in the audience was Ward 3 City Councilor James Nash. No other City Councilors were present.

2. **Public Comment:** None

3. **Public Hearing relative to photovoltaic systems and related accessory structures in various zoning districts**

At 5:05 p.m. Councilor O'Donnell moved to open the public hearing; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Sr. Land Planner Carolyn Misch was present to speak to the issue of the changes to the ordinances affecting photovoltaic systems and related accessory structures. These measures had been passed previously by a prior City Council; however, for some unknown reason, the changes were never reflected in the online version of the City Code. The districts affected were URA, URB, SR and RR. Future changes to the code have been made; however the changes did not include the modifications that were previously approved. Therefore, the City Council must re-approve the changes. Ms. Misch noted that the City Council has already approved a PV system at the City's former landfill site; other inquiries have been received. She notes that there is interest in large scale photovoltaic array systems.

There were no proponents or opponents to speak about the changes.

There was no public comment.

At 5:08 Councilor Sciarra moved to close the public hearing; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

4. **Approve Minutes of the October 12, 2016 Meeting:** Councilor O'Donnell moved to approve the minutes of October 12, 2016; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

5. **Items Referred to Committee**

A. **16.158 - An Ordinance relative to photo voltaic systems and related accessory structures in various zoning districts- Referred to Committee on September 15, 2016** (As amended by this committee on October 12, 2016)

Councilor O'Donnell moved to return the ordinance back to the full City Council with a positive recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

B. **16.175 Ordinance to modify code for limited time parking on King Street - Referred to committee on October 6, 2016**

This item receive a positive recommendation from the Transportation and Parking Commission.

Councilor O'Donnell explained that there are three spaces just north of North Street and King Street across from Dunkin Donuts. The location is at 139 King Street which is formerly the Hamelin Furniture building. The building is now used as a dog care business. There are two parking spaces right in front of the building and another just south of those. The ordinance would change the northerly two to 15 minute spaces while the bottom space would be a one-hour space. The request to change the time limits came from the business owner and the property owner who came to a Transportation and Parking Commission meeting to explain the need. The TPC made a positive recommendation to support the change, however, the vote was not unanimous. Councilor O'Donnell explained that he did not support the ordinance in part because he does not believe that there is a demonstrated concern that a problem exists. He did learn from the business owner that from time to time there are people who park in front of the business on the weekend. He notes that he has never heard that there is a problem in this area and before two parking spaces are taken out of the available inventory, he would like to know that there is a demonstrated problem. He notes that what this ordinance will do will be to take the parking spaces out of the City's inventory and give them effectively to just one business, unlike other 15 minute spaces which are a utility spaces for many different businesses. Councilor O'Donnell is not convinced that there is a demand for these spaces.

Councilor Murphy asked why two spaces were needed; Councilor O'Donnell explained that there is also a drop off area that is available by way of two curb cuts in front of the business. Councilor Sciarra noted that the business owner explained that the business had rush hour times. People drop off their pets first thing in the morning and then pick them up on the way home. The owner felt as though they needed as much parking as possible.

Councilor Sciarra pointed out that ordinance specifies a time from of 1 am to 6 pm for the one hour parking space. She notes that this is highly unusual and isn't necessarily enforceable. The time was changed for the 15 minute space and Councilor Sciarra believes that it should be changed for the one hour space as well. Also, the spaces in downtown are changing to two hour spaces and that seems to be the direction that the City is moving. Councilor Murphy believes that the 1 am time was intended to prevent overnight parking. Councilor Sciarra moved to amend the ordinance to reflect an 8 a.m. start time; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Councilor Sciarra moved to return the ordinance back to the City Council with a neutral recommendation; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

**C. 16.182 An Ordinance regarding No Parking certain times in Round House Lot - Referred to Committee on October 20, 2016**

This item received a positive recommendation from the Transportation and Parking Commission.

Councilor O'Donnell explained that there was a commitment from the City to secure parking spaces for tenants of South Street complex. Those spaces currently exist and the goal is to codify the dedicated spaces.

Councilor O'Donnell moved to return the ordinance back to the full City Council with a neutral recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

**D. 16.183 An Ordinance relative to bike lanes on Locust Street - Referred to Committee on November 3, 2016**

Councilor O'Donnell noted that the bike lanes that are referred to in this ordinance are already painted; he moved to return the ordinance back to the full City Council with a positive recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

**6. Approve Committee Calendar for 2017**

The committee's general meeting day and time is the second Monday of each month at 5:00 pm. Councilor O'Donnell moved to approve the Committee schedule as proposed; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

The committee's 2017 schedule is as follows:

| | |
|---|---|
| January 9, 2017 @ 5:30 p.m. | February 13, 2017 |
| March 13, 2017 | April 10, 2017 |
| May 8, 2017 | June 12, 2017 |
| July 10, 2017 | August 14, 2017 |
| September 11, 2017 | October 16, 2017 (Oct. 9 is a holiday) |
| November 13, 2017 | December 11, 2017 |

**7. New Business – None**

**8. Adjourn –** At 5:23 pm Councilor Sciarra moved to adjourn the meeting; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

*Prepared By:*
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# CITY OF NORTHAMPTON
## MASSACHUSETTS

***In the Year Two Thousand and Sixteen***
Upon the Recommendation of the Department of Public Works.

# 16.184
# AN ORDINANCE

## RELATIVE TO THE OPERATION OF HEAVY VEHICLES

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

*That the § 312-75 of the Code of Ordinances be amended as follows:*

§ 312-75 Compression release engine brake use; operation of heavy commercial vehicles.

~~C. Warnings and penalties for repeated use of truck detours. Operators of heavy commercial vehicles as defined in § 312-1 may first be issued an informational warning for using established truck detours on Lincoln Avenue and Phillips Place for the purpose of correcting a navigation error that would otherwise have led the vehicle to a prohibited route. However, operators who have previously received such a warning within the last two years shall be subject to a fine of $300.~~

DPW-Engineering/Dec 2016

# CITY OF NORTHAMPTON
## MASSACHUSETTS

***In the Year Two Thousand and Sixteen***
Upon the Recommendation of Councilor Gina-Louise Sciarra

# 16.213
# AN ORDINANCE

## RELATIVE TO PARKING ON CENTER STREET AND MARKET STREET

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

*That the § 312-104 of the Code of Ordinances be amended as follows:*

§ 312-104 Schedule III: Limited-Time Parking.

| | | | | |
|---|---|---|---|---|
| ~~Center street~~ | ~~Northerly~~ | ~~15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday~~ | ~~A point 161 feet easterly from Center Court~~ | ~~A point 179 feet easterly from Center Court~~ |
| **Center Street** | **Southerly** | **15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday** | **A point 214 feet easterly from Masonic Street** | **A point 229 feet easterly from Masonic Street** |
| **Market Street** | **North-easterly** | **15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday** | **A point 155 feet southeasterly from Graves Avenue** | **A point 173 feet southeasterly from Graves Avenue** |

# CITY OF NORTHAMPTON
## MASSACHUSETTS

***In the Year Two Thousand and Sixteen***
Upon the Recommendation of the Department of Public Works.

# 16.214
# AN ORDINANCE

## RELATIVE TO A YIELD SIGN ON MAPLE STREET

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

*That the § 312-113 of the Code of Ordinances be amended as follows:*

§ 312-113 Schedule XII: Stop and Yield Intersections.

C. Isolated yield signs. Yield intersections are established at the following locations:

| Name of Street | Direction of Travel | At Intersection of |
|---|---|---|
| **Maple Street** | **Northeast** | **Nonotuck Street** |