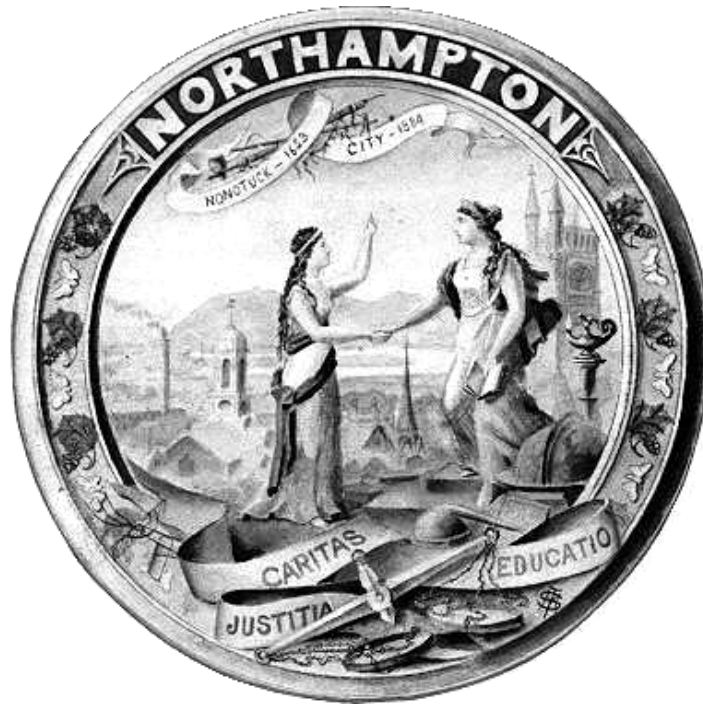


**City of Northampton**  
**Community Preservation Plan**

**April 15, 2009**



**Version on website**

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March, 2009

The Northampton Community Preservation Committee (CPC) is pleased to present the 2009 version of the Northampton Community Preservation Plan. The Plan is reviewed and adopted annually in response to changing preservation needs and opportunities, and to improve clarity. This version replaces that of November, 2007.

The Plan describes the process for administering the Community Preservation Act (CPA). It gives an introduction to the CPA, information about the CPA program areas as they apply to Northampton, and contains detailed information about the project application and review process. As such, it represents an informational document for the citizens of the City, a guideline and instructional document for applicants seeking project funding through the CPA, and a guidance document for this and future Community Preservation Committees in making recommendations to the Mayor and City Council for project funding.

We are committed to bringing the CPA to Northampton in the most effective ways that we can, using processes that are transparent and inclusive. We welcome your comments and suggestions regarding this Plan and the processes that we use to implement it.

The Plan is respectfully submitted to the residents of Northampton with the goal of providing a focus and catalyst for significant enhancement of community preservation goals. We would like to thank the many citizens, City officials, and members of other Community Preservation Committees for their help in the development of this Plan.

Sincerely,

Northampton Community Preservation Committee

Don Bianchi (appointed by the Mayor)

David Drake (appointed by the Historical Commission)

Jack Hornor (appointed by the City Council)

George Kohout (appointed by the Planning Board)

Lilly Lombard (Elected Member)

Downey Meyer (appointed by the Conservation Commission)

Tom Parent (appointed by the Recreation Commission) **Vice Chair**

Fran Volkmann (Elected Member) **Chair**

*Committee Staff: Bruce Young, Senior Community Preservation Planner*

*John Frey, Community Preservation Planner*

# OVERVIEW

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## THE COMMUNITY PRESERVATION ACT (CPA)

The Community Preservation Act (CPA) allows communities to create a local Community Preservation Fund through a surcharge of up to 3% of the real estate tax levy on real property. The act also creates a significant state matching fund. CPA funds may be used for acquisition and preservation of open space, for preservation and restoration of historic buildings and artifacts, for the creation, preservation, and support of community housing, and for specified investments related to recreation.

In each fiscal year, at least 10% of the revenues in the Community Preservation Fund must be spent or set aside for open space (excluding recreational uses), 10% for historic preservation, and 10% for community housing. Up to 5% may be spent on administration.

The CPA stipulates that decisions regarding the allocation of CPA funds in cities and towns that adopt the initiative are to be made by a local Community Preservation Committee (CPC) whose task is to receive and review applications and to make recommendations to the appropriate municipal authority, which in turn makes the final allocations.

## THE CPA IN NORTHAMPTON

The residents of Northampton voted, by ballot referendum in November 2005, to adopt the Massachusetts Community Preservation Act (CPA) at the 3% level of property tax assessment. The City Council then drafted and adopted an ordinance creating the Northampton Community Preservation Committee (CPC).

The Northampton CPC consists of nine members, including one representative each from the Conservation Commission, Historical Commission, Housing Authority, Planning Board, Recreation Commission, as well as one member appointed by City Council, one member appointed by the Mayor and two representatives elected in a city-wide election.

The CPC began its work in 2007, and in 2008, the CPC completed twenty-seven positive recommendations on local projects. All of these projects were subsequently approved by the Mayor and the City Council. A full report of the Community Preservation Committee's work to date and a complete listing of projects approved is shown in Appendix A.

## **THE 2009 COMMUNITY PRESERVATION PLAN**

The CPA mandates the creation of a Community Preservation Plan in each participating municipality, to be revised annually as local circumstances may change. The Northampton CPC adopted its first Plan in November, 2007 for use during calendar year 2008. The present Plan has been revised for use during 2009.

This revised plan refines the goals of the CPC as we embark on our second year of implementing the program. Our primary goal continues to be to act as a catalyst for citizens and community organizations addressing community preservation goals.

The purposes of the Plan are as follows:

- To establish clear criteria that forms the basis of the committee's evaluation of applications for funding.
- To lay out the processes and the time-lines that the committee will use in its review of applications.
- To provide application forms and background information that are needed by applicants.
- To inform both applicants and the public of the CPC's goals and of its commitment to an open and transparent approach to reaching its recommendations.
- To provide the Mayor and the City Council with the background information they need in reviewing the committee's recommendations.

## **SCHEDULE AND REVIEW PROCESSES FOR 2009**

In 2009, the committee will conduct two scheduled project funding cycles. The first begins on January 12, 2009 with the goal of making recommendations by April 15, 2009. The second begins on Aug 14, 2009 with the goal of making recommendations by November 18, 2009.

In addition, the committee may, under extraordinary circumstances, vote to accept applications that, because of market opportunities or other material timing deadlines, require consideration outside of these funding cycles.

We also recognize that, in some cases, preliminary work must be undertaken in order to complete a viable application. When this is the case, the CPC will consider applications for study grants that can be used to test feasibility and develop work plans that would result in a stronger CPA project.

Finally, it should be noted that all projects may not be funded, even if funds are available, and that in any given year some CPA funds may be carried over to subsequent years for future projects.

## **GENERAL CRITERIA FOR PROJECT EVALUATION**

In order to determine funding eligibility and priority, the (CPC) will evaluate all applications against these criteria, with the understanding that not all criteria will be appropriate for every project. The criteria fall into two categories – General, and criteria related to the four program areas: Open Space, Historic Preservation, Community Housing and Recreation. Program-related criteria are described in each of the program sections of this Plan.

These General Criteria apply to all projects. High-priority projects will meet many of these criteria:

1. Serves more than one CPA program area
2. Contributes to the preservation of Northampton's unique character, boosts the vitality of the community, and enhances the quality of life for its residents
3. Addresses recommendations contained in the Sustainable Northampton comprehensive plan and/or the Northampton Open Space and Recreation Plan 2005-2010, or is consistent with other city-wide planning efforts that have received broad-based scrutiny and input and can demonstrate wide community support
4. Saves resources that would otherwise be threatened
5. Serves under-served populations
6. Places high value on sustainable, ecologically responsible, energy-conserving structures, locations, and materials; demonstrates that the project minimizes the ecological footprint
7. Receives endorsement by community groups, municipal boards and/or departments

8. Leverages additional public and/or private funds, or demonstrates that other funding sources are not readily available or sufficient
9. Demonstrates a high benefit/cost value
10. Can be implemented expeditiously and within budget

\*Criteria are listed in no particular pattern, purpose, organization or structure

The CPC also wishes to emphasize here that, as we review applications against these general criteria, we are committed (as mandated by the CPA) to the overarching goal of long-term preservation whenever possible. Most projects supported by CPA funds, whether historic, open space, housing, or recreation, should provide lasting value to our community. Applications should demonstrate how the project will provide such value.

# OPEN SPACE

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## BACKGROUND

Protected open space is essential to the long-term sustainability of Northampton. Open space contains key natural resources upon which the health of our community and our future sufficiency depend: Food, biofuel, clean water, air & soil, and plants & animals that support our food chain. As Northampton endeavors to “re-localize” in the face of rising energy /transportation costs & global warming, we must take great care to preserve the precious resources held within our open spaces.

Open space also enhances quality of life. For humans, these undeveloped areas are places to experience beauty, solitude, and a connection with the natural environment. They stand in contrast to the bustle of our commercial centers. For our wildlife populations, open space provides essential habitat.

Open space, once conserved, costs relatively little to maintain. The open spaces we maintain in protected wetlands, protected farms, conservation areas, and parks constitute our natural environmental legacy.

Currently in Northampton, public and private organizations, businesses, farmers, and individual citizens provide our residents with open space and conservation areas that contribute greatly to our high quality of life. However, development, escalating land values, and limited municipal financial resources have contributed to the loss or degradation of potential open space areas, and have foreclosed opportunities for their permanent protection. Protection of currently private owned open space through acquisition or conservation easements remains a primary goal in Northampton.

## PROJECT ELIGIBILITY

The CPA law requires that a participating community “*shall spend, or set aside for later spending, not less than 10 percent of the annual revenues in the local Community Preservation Fund for open space, but not including land for recreational use.*” Open space is defined to include, but is not limited to, the following:

- Agricultural land
- Well fields, aquifers, recharge areas, and other watershed lands

- Grasslands, fields, or forest lands
- Wetlands and other water resources
- River, stream, lake and pond frontage
- Scenic vistas
- Land for wildlife habitat, biodiversity or nature preserves

With regard to permissible purposes for which CPA funds may be spent on open space, the Act specifically provides that CPA funds may only be expended for *"the acquisition, creation, and preservation of open space and for the rehabilitation or restoration of such open space that is acquired under the CPA."*

## RESOURCES

Open space is defined by the CPA to "include, but not be limited to aquifers and recharge areas, watershed land, grasslands, fields, forest land, wetlands, river, stream, lake, and pond frontage, beaches, land to protect scenic vistas, land for wildlife or nature preserve and land for recreational use."

In general, open space in this context is considered land that is maintained in a natural state and available to be used for passive recreation or for protection of habitat. Land that is intended primarily for active and passive recreation and that will be modified for such use is discussed in the recreation section.

Northampton's open space resources (excluding land for recreation) may be inventoried as follows:

- Connecticut River, Mill River and all riverfront property, as well as other water bodies, including brooks and streams
- Wetlands, vernal pools and other protected resource areas
- Small undeveloped parcels that remain in a natural state
- Vista parcels and parcels with significant geologic formations, including rock outcrops
- City-owned and Department of Conservation and Recreation land not used for active recreation
- Undeveloped institutional and privately-held land

Various organizations are active in the protection and management of open space in Northampton. The Northampton Conservation Commission, the Department of Public Works, the Massachusetts Department of Conservation and Recreation, Department of Agricultural Resources, and Department of Fisheries and Wildlife, Mass Audubon, the Valley Land Fund, Broad Brook Coalition and other non-profit land trusts have been active in protecting and acquiring open space in the City of Northampton.

## NEEDS

The need for open space protection is greatest at those locations that are most significant in terms of wildlife habitat, flood mitigation, ground water recharge and in areas with environmental concerns.

The City has been acquiring and permanently protecting approximately 100 acres of open space, in fee or by easement, annually for the past decade. Still, as Northampton has developed in recent years, residents have recognized that open space is being lost and the permanent protection of open space is needed more than ever.

During numerous public meetings with City boards and officials, the Planning Board, Conservation Commission, and Recreation Commission have consistently heard concerns that important open space and recreation needs are not being met.

The Conservation Commission and Planning Board, working through the public planning process, have identified the following, as Northampton's most pressing open space needs:

- Acquisition for permanent protection of a range of critical and natural plant and animal habitats, including:
  - Wetlands
  - Rare or endangered species habitat
  - Lands along the Connecticut, Mill, and Manhan and other rivers and major streams.
- Preservation of open space parcels that help define Northampton's character, including parcels at the "entrances" to the City and parcels that limit the expansion of development into previously rural areas.
- Protection of farmland, forestland and the rural character of outlying areas.
- Protection of Northampton's drinking water supply watershed and aquifer lands and of Hatfield's aquifer.
- Encouraging or requiring that development is sensitive to ecological resources, vistas, and open space.
- Limited improvements, including improvements to make some conservation areas handicap accessible.
- Fishing and informal swimming opportunities in conservation areas and throughout the City.
- Permanent protection of Smith Vocational agricultural and forestry lands and of undeveloped lands at the Veterans Administration Hospital and the County Long Term Care Facility.

- Protection of key parcels in the last remaining large undeveloped areas of the City – Broad Brook Watershed, Marble Brook Watershed, Saw Mill Hills, Mineral Hills, and the Meadows.
- Passive recreation opportunities throughout the City.
- Linkage and augmentation of open space parcels, to provide for passive recreation and wildlife movement between large natural habitat areas.
- Protection of vistas and "viewsheds".

## **POSSIBILITIES**

When parcels become available, proponents seeking to protect them could use CPA funds in combination with other land acquisition strategies to acquire properties or obtain conservation restrictions that ensure their protection as open space.

In the case of particularly significant parcels, proponents might also use CPA funds to obtain rights of first refusal, long-term purchase options or life estate agreements to purchase the land when and if the current owners wish to sell. Further possibilities include the use of CPA funds to create or improve critical habitat areas such as: wetlands, vernal pools, pastures and forest areas.

## **PROJECT EVALUATION CRITERIA**

As explained in the Overview Section of this Plan, all projects will be evaluated using the General Project Evaluation Criteria. In addition, the CPC, in consultation with the Northampton Conservation Commission and the Sustainable Northampton Steering Committee, has identified the following Project Evaluation Criteria for open space proposals. Proposals brought before the CPC should accomplish some or all of the following:

1. Permanently protect important, unique or threatened plants, animals, habitat or corridors, including areas that are of significance for biodiversity
2. Preserve Northampton's rural and agricultural character, scenic views and community character defining views
3. Provide opportunities for passive recreation and environmental education
4. Provide connections with existing trails or potential trail linkages
5. Preserve valuable surface water resources, including rivers, streams, lakes, ponds, wetlands, buffer zones, vernal pools and riparian zones
6. Protect aquifer recharge areas and drinking water quality and quantity
7. Provide flood control/storage
8. Preserve large strategic tracts of undeveloped land and parcels adjacent to existing permanently protected open space
9. Provide valuable open space opportunities in urban neighborhoods

## 10. Protect rich agricultural soils

\*Criteria are listed in no particular pattern, purpose, organization or structure

In addition to these criteria, the *City of Northampton Open Space and Recreation Plan 2005-2010* lays out a plan for acquisition, preservation, and restoration of land for open space. The CPC has reviewed this document and adopted it as a guide for its recommendations with regard to potential open space projects for CPA funding. The CPC reserves the right to consider additional projects not anticipated in the *City of Northampton Open Space and Recreation Plan 2005-10*.

# HISTORIC PRESERVATION

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## BACKGROUND

The preservation of historic resources within a community is essential for the vitality of its unique character. Each community has its own personality, composed of many individual parts. Historic properties are vitally important in establishing the character of a community, and play a crucial role in defining a sense of place. The individual threads composing the historic fabric of a community are non-renewable resources, running through time telling the community's story while enriching the present and future.

When lost through destruction or neglect, irreplaceable ties to the past are obliterated forever. Without a sense of history or connection to the past, an older community may trade its authentic character for anonymous new non-compatible developments.

Threats to Northampton's historic preservation efforts include, but are not limited to:

- Neglect and delayed maintenance
- New development and expansion that intrude upon or destroy historic resources
- Inappropriate renovation
- Lack of information and planning for what is historically and culturally significant in the community

## PROJECT ELIGIBILITY

With respect to the permissible purposes for which CPA funds may be used on historic resources, the Act requires that a participating community "...*shall spend, or set aside for later spending...not less than 10 percent of the annual revenues for historic resources.*" A historic resource is defined in the Community Preservation Act to include a building, structure, vessel, or other real property that is either:

- Listed or eligible for listing on the State Register of Historic Places; or
- Determined by the local Historic Commission to be significant in the history, archeology, architecture, or culture of the city or town.

To be eligible for funding, historic preservation projects in Northampton must meet one of the above criteria. If funds are being requested for a project not listed on the State Register, the applicant must consult with the Northampton Historical Commission prior to submitting the application.

*Note:* In connection with historic preservation projects, communities should consult the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties and Cultural Landscapes. These standards may be obtained from the website of Historic Massachusetts at <http://www.historicmass.org/>. Please also contact the Massachusetts Historical Commission at: <http://www.state.ma.us/sec/mhc>.

CPA funds may only be spent or set aside *"for the acquisition, preservation, rehabilitation and restoration of historic resources."*

## **RESOURCES**

The Community Preservation Act authorizes the CPC to make recommendations "for the acquisition and preservation of historic resources." Among its definitions, the Act refers to "historic structures and landscapes" as "a building, structure, vessel, or real property that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archaeology, architecture or culture of a city or town." As noted above, a broad range of historic properties meet the definition and are eligible for funding under the CPA.

The City has a multitude of structures and landscapes that are historic in nature. Some of these are in dire need of restoration or preservation, but money has not been available because of other funding priorities. The CPA offers an option when other approaches are insufficient to accomplish these community objectives.

The Northampton Historical Commission does not receive any City funding through the budget process. Staff support is provided through the City Office of Planning and Development. The Commission carries out activities with private fundraising through a gift account. The charge of the Mayoral appointed board is to preserve and protect the City's historic resources through public education and preservation programming. The Northampton Historical Commission presents annual Historic Preservation Awards to properties which have been sensitively restored or renovated, or which have compatible additions.

Prior to passage of the CPA in Northampton there was little direct funding for historic preservation. There was, however, the creation of a Demolition Delay Ordinance, a Central Business Architecture Ordinance, and a local historic district (Elm Street), giving the City tools to protect Northampton's historic resources.

The Demolition Delay Ordinance was enacted (May 2005) for the purpose of protecting and preserving significant buildings and structures in the City of

Northampton that constitute or reflect distinctive features of the architectural, cultural, economic, political, and/or social history of the City.

The Central Business Architecture Ordinance was adopted (October 1999) to preserve and enhance the pedestrian-scale character, culture, and economy of downtown Northampton by preserving historic and architecturally valuable buildings and features, and by encouraging compatible building design.

The Elm Street Historic District was adopted for lower Elm Street as a Chapter 40C district and has now been enlarged and improved with the support of CPA funds. This 40C district permits the most restrictive architectural design review available to localities under Massachusetts General Laws.

Additionally, Historic Northampton, a 501 C-3 private non-profit museum of local history with a collection of approximately 50,000 objects and three historic buildings, and the Forbes Library, an historic building designed by William Brocklesby, which houses an extensive local history and genealogy collection, are guiding forces in creating and maintaining public awareness and the need to preserve Northampton's historic resources. Both Historic Northampton and Forbes Library have now received significant CPA support, along with other important historic resources, as shown in Appendix A.

## **NEEDS**

Historic properties in Northampton are threatened for several reasons.

First, limited funds and other priorities have impeded the City's ability to fund historic preservation projects or to conduct surveys to document resources. There is, therefore, a need to make funds available to specific and identifiable non-maintenance, capital municipal projects that preserve our City's historic heritage as well as to update and supplement existing databases.

Secondly, individuals are often simply not aware of the important historic and architectural characteristics of their properties. Significant historic structures and properties in Northampton have been altered and materials have been replaced with inferior materials that do not respect the original architecture. Particularly in existing and potential historic districts, an effort is needed to bring about more awareness on the part of residents as to which features are covered by the ordinances. There is, in short, a significant need for public education about the purposes and impacts of historic preservation. The City's collection of Form B's, the historical survey form used to catalog significant buildings was compiled in 1975 and was updated in 1988. Many sections of the City have never been surveyed. Updating and completing a citywide inventory of historic properties is

a Commission priority. This component is being addressed in order to launch public education efforts effectively.

Finally, age, deterioration, neglect and misuse threaten historic properties in Northampton. The Northampton Historical Commission, in reviewing properties applying for demolition permits, has been told that a particular historic property is simply “beyond repair” and must be torn down. In some cases, a property may indeed be in serious jeopardy, but often the Commission requests more information and encourages renovation. The jurisdiction of the Demolition Review Ordinance, however, allows for a demolition delay period of just one year. There is a need, therefore, for a funding source to provide a bridge between restorations and tear downs, and to create incentives for property owners not to demolish. The Community Preservation Fund is a prospective source of funds to provide real incentives that result in meaningful alternatives to demolition.

## **POSSIBILITIES**

Citizens, public officials, historic preservationists and others have suggested a variety of project ideas since enactment of the CPA. The primary needs identified are planning and surveying projects, renovations of municipal assets, and funding incentives for preservation by private property owners.

For private property owners looking to permanently protect their historic properties, one of the most effective legal tools available is a preservation restriction – a private legal interest conveyed by a property owner to a preservation organization or to a government entity. A preservation restriction is one way to use CPA funds to protect the historic character of privately owned property that has been determined to be significant in the history, archaeology, architecture or culture of the City.

## **PROJECT EVALUATION CRITERIA**

As explained in the Overview Section of this Plan, all projects will be evaluated using the General Project Evaluation Criteria. In addition, The CPC, in consultation with the Northampton Historical Commission and the Sustainable Northampton Steering Committee, has identified the following Project Evaluation Criteria for historic preservation proposals. Proposals brought before the CPC should accomplish some or all of the following:

1. Protect, preserve, enhance, restore and/or rehabilitate properties, features or resources of historical significance
2. Include a focus on the historical function of a property or site

3. Demonstrate eligibility for a local, State or National Historic Register listing.
4. Provide assurance of the ability to maintain the historic resource over the long term.
5. Include the granting of a permanent historic preservation restriction or other preservation guarantee (see Appendix D)

\*Criteria are listed in no particular pattern, purpose, organization or structure

# COMMUNITY HOUSING

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## BACKGROUND

The CPA law defines "community housing" as "low and moderate-income housing for individuals and families, including low or moderate-income senior housing." Low-income housing is "housing for those persons and families whose annual income is less than 80% of the area-wide median income as determined by the Department of Housing and Urban Development (HUD). Moderate-income housing sets the income threshold for individuals and families at less than 100% of the area-wide median income.

Housing affordability promotes social and economic diversity in the City's population. Affordable housing opportunities make it possible for seniors without substantial assets to remain in a community where they have spent their lives, for young families to enter the market, and for local employees to reside in the communities they serve. All of these serve to enrich Northampton for the benefit of everyone.

Northampton's stock of affordable housing is diminishing. New construction is primarily high-end, and formerly affordable rental housing is being transformed into ever more expensive condominiums. Left to its own devices, the market for housing in Northampton will meet the needs of an ever-smaller proportion of our citizens.

## PROJECT ELIGIBILITY

The Act requires that a participating community *"shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for community housing."* Community housing is defined to include housing for persons or families earning up to the locality's area-wide median income. However, for housing units created with CPA funds to be counted toward a community's Chapter 40B affordable housing inventory, the units must serve those earning less than 80% of area median income.

The Act provides that community preservation funds may only be expended for *"the creation, preservation, and support of community housing and for the rehabilitation or restoration of such community housing that is acquired or created" under the Act.* With respect to the permissible purposes for which CPA funds may be spent on community housing, the Act requires that wherever possible, preference be given to *"the adaptive reuse of existing buildings or construction of new buildings on previously developed sites."*

The CPC will evaluate all proposals for community housing projects to ensure their consistency with fair housing. In doing this, the CPC will be guided by the "Fair Housing Mission Statement and Principles" published by the Massachusetts Department of Housing and Community Development (DHCD) on its website at <http://www.mass.gov/dhcd>. This Statement can be accessed directly by going to [www.mass.gov/dhcd/components/housdev/want/fhp.pdf](http://www.mass.gov/dhcd/components/housdev/want/fhp.pdf).

## **RESOURCES**

The Northampton Housing Partnership is the City entity charged with articulating and addressing the short and long term housing needs of the community. Meeting monthly since 1990, the Partnership has focused on encouraging the preservation of existing affordable housing and creating new units in scattered site locations. The Partnership also makes recommendations to the Mayor on the use of CDBG (Federal Community Development Block Grant Program) funding for all housing projects. The Housing Partnership also serves as the City's Fair Housing Committee and sponsors workshops to provide information on landlord and tenant rights. The City also contracts with the Massachusetts Fair Housing Center to process housing discrimination complaints.

To preserve existing affordable housing, the City's Affordable Housing Trust fund was created to allow 55 low-income households to remain at Hathaway Farms (formerly Hampton Gardens) for 10 additional years after its conversion to a market rate complex. Long-term affordability was also secured through efforts of the Mayor at Meadowbrook Apartments. The City's housing rehabilitation program offered opportunities for low and moderate-income families to make home improvements that secured and improved their housing.

The Partnership has worked with Valley Community Development Corporation, HAP, The Community Builders, Habitat for Humanity and the Northampton Housing Authority over the years to increase the inventory of affordable housing. Of the four former State Hospital parcels deeded directly to the Housing Authority, the West Street parcel (behind the former Jessie's House) was developed for affordable family housing (Paradise Pond apartments), the Grove Street parcel (corner of Grove and Laurel) was developed for clients of the Department of Mental Health, the Burts Pit Rd. parcel is slated for use by the Department of Mental Retardation and the Laurel Street parcel is slated for homeownership.

With regard to housing for the elderly, the Housing Authority has several public housing properties dedicated to elderly and disabled residents. The private sector offers several independent living communities, with varying ranges of affordability. A new 55 years old and older community is currently under

development on Bridge Road, a housing model enjoying huge popularity across the country.

The City's Housing and Community Development Planner works 2 days a week administering a million dollar+ grant which funds 10-12 projects assisting and housing the homeless across the region. Mayor Higgins and Mayor Sullivan of Holyoke have also launched a Pioneer Valley Regional Plan to End Homelessness, begun in the spring of 2007.

## **NEEDS**

With CPA support, the Housing Partnership is currently conducting a detailed housing needs assessment for the city. The following general need categories have been identified based on prior information acquired during the Sustainable Northampton Master Plan Process and from several other processes, including the Northampton Vision 2020 Plan, Grow Smart Northampton Plan, Section 418 Certification, Three County Continuum Goals and Objectives, consultations with service providers and public forum feedback, as well as the consultation and citizen participation process:

### **Homelessness Prevention**

Data shows that it is far more cost effective to preserve tenancies than to provide shelter and services for those having lost their housing. Unfortunately there are few funding sources for prevention activities. Efforts such as the Tenancy Preservation Program, Tenant and Landlord Mediation and Housing Stabilization Programs are highly effective ways of preserving housing for those at-risk of homelessness.

### **Emergency Shelter**

The City has two year round emergency shelters for individuals. One is the City sponsored Grove Street Inn (91 Grove Street). The farmhouse, formerly part of the State Hospital is owned by the City and operated by ServiceNet, Inc. Capacity is 20-24 beds, men and women and the facility is always full. The second shelter is located on the Veterans Administration Campus in Leeds. This program is administered by the United Veterans of America, separate from the VA. The UVA program consists of 135 beds serving veterans from throughout the New England area.

When the waiting list at the Grove Street Inn became extensive in 1994, the City in partnership with ServiceNet and many community volunteers, created the Cot Program, now known as the Hampshire Interfaith Shelter. With State funding sources never guaranteed, continued operation of these programs is critical. Physical rehabilitation of the Grove Street Inn has been prioritized in the City's CDBG 5 year Performance Plan, as well as continued support for the emergency shelter system overall.

### **SRO Units, Safe Havens**

After interviewing housing and homeless providers, The Housing Partnership has identified new SRO (Single Room Occupancy) housing and a Safe Havens Program to be its top priorities for addressing homelessness and near homelessness in Northampton.

SRO units provide “next step” housing for individuals coming out of shelter. SRO’s, especially enhanced SROs (rooms that offer bathroom and meal preparation facilities) also function as permanent housing for those with limited incomes, or for those looking for small, efficient rental units. The City has lost over half of its SRO housing stock over the past few decades. The creation of new, safe and affordable SRO units is a goal of the Partnership.

Safe Havens programs provide housing for the chronically homeless mentally ill that circulate regularly through the area homeless shelters.

### **Housing First**

An important integrated plan to end homelessness in the region, called “Housing First,” emphasizes the need to take people from the streets or shelter system and put them directly into subsidized housing as a first step in their reentry into society.

### **Permanent Housing**

Permanent rental housing can be found in public housing units, or in subsidized units made affordable with mobile rental vouchers. Support of the programs and operation of the Northampton Housing Authority helps insure that those options remain. Support of new housing developments sponsored by the Housing Authority and area developers is important. The availability of rental assistance is imperative in order to prevent more and more households from slipping into homelessness.

## **POSSIBILITIES**

As new residential developments are proposed, CPA money could be used to buy down the cost of affordable units that builders include in new developments. In addition, CPA funds could be used to help first-time homebuyers or other homebuyers afford a home in Northampton. CPA funds could also be used to support the housing needs of low or moderate-income senior citizens through a variety of funding mechanisms to assist with housing costs. CPA funds could be used to provide financial incentives to promote the creation of affordable accessory apartments within the existing housing stock.

CPA funds could be used to assist private affordable housing developers in leveraging other federal and state funds. This is extremely helpful where a project requires multiple funding sources and those other sources insist on a demonstrated commitment of local financial support in order to qualify for funds.

Finally, CPA funds could be used to fund both large and small-scale multi-family developments that cannot otherwise use CDBG or HOME funds.

## **PROJECT EVALUATION CRITERIA**

As explained in the Overview Section of this Plan, all projects will be evaluated using the General Project Evaluation Criteria. In addition, the CPC, in consultation with the Northampton Housing Authority, Northampton Housing Partnership and the Sustainable Northampton Steering Committee, has identified the following Project Evaluation Criteria for community housing proposals. Proposals brought before the CPC should accomplish some or all of the following:

1. Create or preserve community housing – both rental and home ownership, with a focus that matches community needs for households
2. Promote and encourage use by diverse populations
3. Provide housing that is harmonious in design and scale with the surrounding community
4. Intermingle affordable and market rate housing
5. Ensure long-term affordability, with a focus on:
  - a. Housing ownership affordability of at least 30 years
  - b. Housing rental affordability of at least 99 years
6. Promote the use of existing buildings or construction on previously-developed or City-owned sites
7. Give priority to Northampton residents and employees, consistent with fair housing. For information about fair housing, please see Appendix B
8. Provide the City credit for units under M.G.L. Chapter 40B
9. Provide services for underserved populations
10. Is LEED or Energy Star certified
11. Enhance nonprofit capacity for providing housing and related services
11. Provide mixed-use development opportunities
12. Provide housing in locations that promote walking and discourage single-occupancy vehicle trips
13. Provide housing for households with incomes below 80% of area median income, (the extent to which includes the number of such units and the percentage of such units in relation to the total number of units in the project)

14. Provide housing for very low income households (the extent to which includes the number of units and the percentage of such units in relation to the total number of units in the project that are provided for households with incomes below 50% of area median income, and households with incomes below 30% of area median income)

\*Criteria are listed in no particular pattern, purpose, organization or structure

# RECREATION

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## BACKGROUND

Recreation contributes to the health and well being of a community. Well-developed resources for recreation enhance quality of life, increase property values, improve health status for youth and adults, and buffer the hard edges of the urban environment.

The City of Northampton Recreation Department works diligently to promote the wellbeing of the individual and the community by providing a wide range of high quality and wholesome recreational opportunities to meet the leisure needs of our residents and visitors. Passive recreation, including jogging, walking, cycling, gardening, bird watching, and other activities is on the rise in Northampton. The Northampton Recreation Department is widely recognized for the quality and variety of recreation programs it offers. Recreational areas receive heavy demand from organized sports leagues, which currently exceeds supply, and additional demand from citizens, visitors and community groups. It is challenging to balance the available resources to accommodate this full range of community interests. The opportunity to acquire and develop new land for recreation is limited due to the high cost of land and the amount of acreage needed for recreational facilities.

Additional park and recreation space is needed to meet continued high demand for recreation resources and to improve our ability to responsibly manage the resources currently owned by the City. The differences between active and passive recreation is also an important consideration.

Numerous private organizations contribute to the rich landscape of recreational opportunities for youth and adults. These organizations include soccer, baseball, and lacrosse leagues, YMCA programs, Massachusetts Audubon Society, and rowing and water sports programs. Largely volunteer, these groups add the coaching, organizational and fundraising components needed for successful recreational programs.

## PROJECT ELIGIBILITY

Once a community has expended or reserved at least 10% of the annual funds generated by the CPA on each required use category (open space, historic preservation and community housing), the City or Town may use all or a portion of the remaining 70% for recreational purposes. Recreational use is defined to include active or passive recreational use, including, but not limited to, the following:

- Community gardens
- Trails
- Noncommercial youth and adult sports
- Waterfront, rowing, canoeing and kayaking
- Parks, playgrounds, and athletic fields

The Act provides that CPA funds may only be expended on *“the acquisition, creation, and preservation of land for recreation use and for rehabilitation or restoration of land for recreational use that is acquired or created”* under the CPA.

## **RESOURCES**

The National Recreation and Park Association and other organizations recommend communities provide up to 10 acres of developed recreation areas per 1,000 people, or approximately 300 acres of developed recreation areas should be provided for the citizens of Northampton. The City of Northampton currently meets national standards, but if Look Park is excluded, which has a regional rather than a local draw, substantially less than 300 acres of developed recreation land is available.

Although there is pressure to expand the number of acres of recreational facilities in the City of Northampton, the City provides its citizens with myriad active and passive recreational opportunities. Passive recreation interests are available and accessible within the numerous permanently protected conservation areas throughout the City. In addition, the City of Northampton and the Northampton Recreation Department provide a diverse range of active recreational resources to the citizens, such as: community gardens; playgrounds and active recreation facilities associated with school properties; multi-use recreation areas (Maines Field, Sheldon Field, and Veterans Memorial Field, Arcanum Field and Parcel C at the former State Hospital); bike trails and walkways; soccer fields; multi-use park facilities; and urban pocket parks.

Further, there are a multitude of private recreation facilities in Northampton. Golf courses, fair grounds, marinas, outdoor recreation centers, health clubs, and a bowling alley are a few of the facilities weaved into the landscape in Northampton.

Northampton and the surrounding towns have a significant and historic resource in the Connecticut River, which in addition to its historic functions as a source of food, water, transportation, and its breathtaking beauty, is an unparalleled recreational resource. Points of access for exercise water sports are limited, and

rising waterfront real estate values make the insurance of public access to river front of considerable importance.

## **NEEDS**

There are two primary motivators for acquisition and preservation of land for recreation. Demand for recreation facilities is rising and, as these facilities are more intensively used, there is a need to provide periodic relief so they can recover and continue to serve the community's needs.

Demand is driven by several factors, among which are the growth of sports opportunities for girls and women, the increasing popularity of organized leagues for youth and adults, widespread recognition of the benefits of exercise on health and fitness, and the generalized need for relaxation as a response to the frantic pace of modern life. Together, these factors have steadily pushed the limits of existing space dedicated to recreation. Because of resource limits, some deserving citizens must search beyond the City limits to participate in their preferred recreational activities.

Rowing programs in Northampton are housed in borrowed facilities on the Oxbow, and continue to serve hundreds of adults and youth every year, from Northampton and the surrounding towns. Waterfront facilities are expensive and options, due to permitting and land use constraints, are limited.

## **POSSIBILITIES**

CPA funds could be used to create or expand facilities for underserved populations in the City of Northampton. Examples of these facilities might include: soccer fields, outdoor theatre spaces, tot lots, senior citizen parks, auditory and tactile outdoor recreation kiosks, kayak rowing and canoe launch areas, cross country skiing, cycling, river cruises, rail trail and other pathway developments.

## **PROJECT EVALUATION CRITERIA**

As explained in the Overview section of this Plan, all projects will be evaluated using the General Project Evaluation Criteria. In addition, the CPC, in consultation with the Northampton Recreation Commission, other recreational interests and the Sustainable Northampton Steering Committee, has identified the following Project Evaluation Criteria for recreation proposals. Proposals brought before the CPC should accomplish some or all of the following:

1. Support multiple active and passive recreation uses;

2. Serve a significant number of residents;
3. Expand the range of recreational opportunities available to Northampton residents of all ages
4. Enhance the appreciation of the natural world and its conservation
5. Contribute to the positive health status of its citizens
6. Benefit conservation and recreation initiatives
7. Maximize the utility of land already owned by Northampton (e.g. school property)
8. Promote the creative use of former railway, waterways and other corridors, including connecting corridors, to create safe and healthful non-motorized transportation and exercise opportunities

\*Criteria are listed in no particular pattern, purpose, organization or structure

# APPLICATION AND PROJECT REVIEW INFORMATION

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## APPLICATION AND REVIEW SCHEDULE

The Committee will conduct two funding rounds during 2009, as follows.

	<u>Round 1</u>	<u>Round 2</u>
Project Eligibility Forms due	Jan 12	Aug 10
Completed Applications due	Feb 11	Sep 09
Estimated date of CPC recommends	Apr 15	Nov 18

As indicated below, committee recommendations must be reviewed by the Mayor and approved by two votes of the City Council, normally taken at two separate meetings. Approved projects must then go through a city process of payment authorization. Each of these final steps adds a somewhat unpredictable delay between the time that the CPC recommendations are made and the time that approved projects are actually funded.

The committee may, under highly extraordinary circumstances, vote to accept applications that, because of market opportunities or other deadlines, require consideration outside of the normal funding cycles. Potential applicants who believe that their circumstances call for such unusual action may contact the committee chair to discuss the possible submission of an off-cycle application.

## APPLICATION AND REVIEW PROCESS

The following four-step process describes the committee's procedures for reviewing and recommending proposals, and the city's procedures for final approval and funding.

This section also details the precise information that the committee needs in order to evaluate projects fully and to set priorities among them. As applicants should be aware, levels of funding requested far exceed the funds available. In this competitive climate, only applications that arrive in complete form and that include all of the detailed information requested will be considered by the Committee. Applicants who submit a late or incomplete application should expect the committee to return the application for completion and resubmission at a future funding round. Applicants are encouraged to contact CPC members and/or CPC staff to discuss project proposals.

## Step 1. Determine Project Eligibility

Because of the complexities of the CPA law, the committee requires all project applicants to begin the application process by submitting a one-page Project Eligibility Determination Form. No funding application will be accepted unless the Project Eligibility Determination Form has been submitted and approved.

Applicants should refer to Appendix E, Community Preservation Fund Allowable Use Table when filling out the Project Eligibility Determination Form. This information comes from the Department of Revenue and contains the most up-to-date information on both the definitions of the four CPA program areas (Open Space, Historical Preservation, Community Housing, and Recreation), and the allowed uses of CPA funds in the four areas.

Project Eligibility Determination Forms must be submitted at least 30 days in advance of the application deadlines. Please submit only one paper copy and mail to:

Community Preservation Committee  
c/o Office of Planning and Development, Room 11, City Hall  
City of Northampton  
210 Main Street  
Northampton, MA 01060

The Chair of the CPC or the Chair's designee will review Project Eligibility Determination Forms. Applicants will be notified as soon as possible (usually within a week of the project application deadline) whether their project is eligible for CPA funds. Applicants have the right to appeal eligibility decisions to the full Committee.

Applicants with questions may contact any member of the Community Preservation Committee or the Senior Community Preservation Planner. Contact information is available on the Northampton Community Preservation website (<http://www.northamptonma.gov/gsuniverse/httpRoot/comm>).

**Step 2. Submit Completed Application.** Please review both the **Requirements for Submission** and **Application Instructions** before beginning an application. Applicants with questions are urged to contact the committee. Once submitted, an application may not be amended without a vote of the committee.

- Each project funding application must be submitted using the *Community Preservation Plan* "Project Application Cover Sheet." Additional pages should be added as necessary. The application and detailed instructions

are part of the *Community Preservation Plan*, and are also available online at the CPC website.

- Applicants should submit 11 paper copies of the application, double-sided, plus an electronic copy whenever feasible.
- Submit applications to:

Community Preservation Committee  
c/o Office of Planning and Development  
210 Main Street, Room 11, City Hall  
Northampton, MA 01060

### **Step 3. Community Preservation Committee Review and Public Comment**

- 1. Application Review:** The Community Preservation Committee will review submitted applications on the basis of the General Criteria for Project Evaluation and the program specific Project Evaluation Criteria for funding included in the *Community Preservation Plan*.
  - The Committee may request additional or more detailed information, and further clarifications to the submitted proposals. The Committee may request a legal opinion to help it assess CPA project eligibility and to provide answers to any other questions that the Committee may have.
- 2. Project Review Meetings:** The Committee will normally ask applicants or their representatives to meet with the Committee to discuss questions that members might have regarding their applications. These meetings will be publicly noticed.
- 3. Public Comment Session:** Although members of the public may attend and speak at all meetings of the committee, the date of a formal Public Comment Session will be specified during each funding round. Applicants are especially encouraged to invite their supporters to attend this session and speak on behalf of their applications.
- 4. Notification:** The Committee will notify applicants of its decisions concerning recommendations.
- 5. Committee Recommendations:**
  - a.** The Committee will make its final recommendations for funding to the Mayor.
  - b.** The Committee reserves the right to attach conditions and to require additional agreements, such as preservation guarantees (see Appendix D), as part of a funding recommendation.
  - c.** The Committee may recommend a project as proposed by the applicant, or may modify the project, or it may recommend partial

funding or funding for only a portion or phase of the proposed project. The Committee's recommendations may include detailed project scopes, conditions, and other specifications, as the Committee deems appropriate to ensure CPA compliance and project performance.

#### **Step 4. Mayoral recommendation and City Council Vote**

The Mayor will present the CPC's recommendations to the City Council, with or without her support. City Council has the final authority to award funds from Northampton's Community Preservation Act Fund. It may approve, approve but with a lower level of funding, or reject recommendations. The City Council takes two votes on each recommendation, normally at two successive Council meetings. Members of the public may speak in favor of or against specific recommendations at the Public session preceding each Council meeting.

#### **Step 5. Award Letter**

For projects approved by City Council, the Committee will issue award letters with information on the funding amount, funding conditions, project modification as voted by City Council (if any), Community Preservation staff contact information, and guidelines for project execution. Projects receiving CPA funding will be required to credit this source of funding in promotional materials and, whenever appropriate, at the project location. Signs indicating CPA support will be made available through the committee.

#### **Step 6. Disbursement and Monitoring of Funds**

CPA monies are public funds raised from dedicated Northampton tax revenues and from State subsidies. Projects financed with CPA funds must comply with all applicable State and municipal requirements. Funds are administered and disbursed by the City of Northampton according to city disbursement procedures.

Applicants should note especially that the State procurement law requires special procedures for the selection of products, vendors, services, and consultants.<sup>1</sup> For questions about procurements and other financial requirements and procedures applicants should contact the City Treasurer, George Zimmerman, at (413) 587-1296.

Project oversight, monitoring, and financial control are the responsibility of the Community Preservation Committee or its designee. Questions in these areas should be directed to Bruce Young, Senior Community Preservation Planner, via email at [byoung@northamptonma.gov](mailto:byoung@northamptonma.gov), or by calling (413) 587-1263.

The Committee may request project status updates from CPA Fund recipients. The purpose of such updates is to track the progress of funded projects, aid the Committee in refining the *Community Preservation Plan*, and identify issues that may assist future applicants.

## **REQUIREMENTS FOR SUBMISSION**

The following requirements should be followed in preparing an application for CPA funding.

- Project funding applications should be for funding within a 5-year completion period. Applications for a longer funding period require a vote of the committee before they can be reviewed.
- If submitting multiple applications, a priority ranking of the projects should be indicated.
- An application for support of a project that requires preservation guarantees should specifically address how such a guarantee has been or is proposed to be accomplished (Appendix D)
- Applicants should include itemized project budgets, with details describing each item and its estimated cost.
- Applicants should obtain three professionally prepared quotes for project costs whenever possible. If such quotes are not available, detailed cost estimates may be used provided the basis of the estimates is fully explained.
- The property owner, when applicable, should sign applications.
- If the funding application is part of a larger project, the applicant should include the total project cost.



## COMMUNITY PRESERVATION ELIGIBILITY DETERMINATION FORM

The purpose of this form is to make sure that all project applications applying for Community Preservation Act funding are eligible for funding. Please refer to Appendix-E in the *Community Preservation Plan* when filling out this form. This form must be approved in order for an application to be accepted.

Project Title:	
Project Sponsor/Organization:	
Contact Name:	
Mailing Address:	
Daytime phone #:	Fax #:
E-mail address:	

CPA Program Area (check those that apply): Open Space      Historic Preservation Community Housing      Recreation
Project Purpose (check those that apply): Acquisition      Creation      Preservation Support      Rehabilitation/Restoration

Project Summary: Please provide a brief description of the project.
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For CPC Use Eligible: \_\_\_\_\_ Not Eligible: \_\_\_\_\_ Date: \_\_\_\_\_ Reviewer: \_\_\_\_\_



## COMMUNITY PRESERVATION PROJECT APPLICATION COVER SHEET

### I: Project Information

Project Title:

Project Summary:

Estimated start date: \_\_\_\_\_ Estimated completion date: \_\_\_\_\_

CPA Program Area (check all that apply):

Open Space

Community Housing

Historic Preservation

Recreation

### II: Applicant/Developer Information

Contact Person and or/primary applicant:

Organization (if applicable):

Mailing Address:

Daytime phone #:

Fax #:

E-mail address:

### III: Budget Summary

Total budget for project:

CPA funding request:

CPA request as percentage of total budget:

**Applicant's Signature:** \_\_\_\_\_

**Date Submitted:** \_\_\_\_\_

# APPLICATION INSTRUCTIONS

1. Please read the entire CPA Application & Review Process before beginning.
2. Complete the application Cover Sheet.
3. Include the following information:
  - **Narrative:** A description of the project and, when applicable, of the property involved and its proposed use. Include responses to the following questions:
    - What Community Preservation criteria – both general and program-area specific – does this project meet?
    - What community need(s) does this project serve? If the project serves multiple needs and populations, please describe them. If the project serves a population that is currently underserved, please describe.
    - What specific guarantees will assure the long-term preservation of the project? What community support does the project have? Explain the nature and level of the support.
    - How will the success of this project be measured?
    - Is ongoing maintenance and upkeep required? If yes, please explain how this will be accomplished.
  - **Project Budget:** The total budget for this project, including specifically how CPA funds will be spent. All items of expenditure must be clearly identified. Include project quotes, or show why this is not appropriate or feasible. List any additional funding sources, either committed or under consideration. Include commitment letters if available.
    - \* If the application submission is for a community housing project, please submit a development budget and a sources and uses budget. Also, community housing home ownership projects shall include an affordability analysis, and community housing rental projects shall include a five-year operating budget.
  - **Multi-Year Funding:** If the project is expected to continue over more than one year, or if bonding the project is anticipated, please provide annual funding requirements.
  - **Project Timeline:** Explain the various steps of the project and when they will be completed.
  - **Feasibility:** List and explain all further actions or steps that will be required for completion of the project, such as environmental

assessments, zoning or other permits and approvals, agreement on terms of any required conservation, affordability or historic preservation agreements, subordination agreements, and any known or potential barriers or impediments to project implementation.

- **Maps:** USGS topographical map, assessors map, or other map as appropriate, showing location of the project.
- **Visual materials:** Photographs, renderings or design plans of the site, building, structure or other subject for which the application is made.

**4. Include the following attachments, if applicable and available:**

- Record plans of the land
- Natural resource limitations (wetlands, flood plain, etc.)
- Zoning (district, dimensional and use regulations as applies to the land)
- Inspection reports
- 21E Reports and other environmental assessment reports
- Mass. Historic Commission Historic inventory sheet
- Historic structure report or existing condition reports
- Existing conditions report
- Names and addresses of project architects, contractors, and consultants
- Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed
- Documentation that you have control over the site, such as Purchase and Sale agreement, option, or deed
- Evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place
- Letters of support sufficient to document clear endorsement by community members and groups, and, where appropriate, by municipal boards and departments.
- Any other information useful for the Committee in considering the project

# **APPENDIX A: REPORT OF THE COMMUNITY PRESERVATION COMMITTEE: 2007-2008**

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## **INITIAL ACTIVITIES**

The residents of Northampton voted, by ballot referendum, in November 2005 to adopt the Massachusetts Community Preservation Act (CPA). About a year later, the City Council adopted the ordinance creating the Northampton Community Preservation Committee (CPC).

The Northampton Community Preservation Committee (CPC) was formed in March 2007 to make recommendations to the Mayor and City Council on how to utilize the CPA funds, which, in the City of Northampton, are raised through a 3% real estate tax surcharge and State match.

The Committee consists of nine members, including representatives from the Conservation Commission, Historical Commission, Housing Authority, Planning Board, Recreation Commission, as well as one member appointed by City Council, one member appointed by the Mayor and two elected representatives. Members are listed at the end of this report. The committee began its work in March of 2007 with the seven appointed members. The final two members were elected in a city-wide election in November 2007, and joined the committee in January 2008 after being sworn in as official members.

Because the CPA process is complex, and because the Committee felt strongly that it should put the best possible policies and procedures in place before starting to accept applications, it spent most of the rest of 2007 preparing the Community Preservation Plan (see below). The Plan includes the Committee's application requirements and other information which applicants need to have, including goals and criteria for the four program areas covered by the Plan (see below). The Committee also worked on a number of important issues related to the operation of the CPC in as transparent, inclusive and effective way as possible:

- It entered into a staffing agreement with the City which provides the CPC with professional and clerical staffing.
- It ensured that appropriate actions were taken to set up the CPC fiscal system, and refined its' fiscal and project reporting systems during the year.

- It voted to establish a formal public comment period as the first agenda item for each of its meetings.
- It approved guidelines for Preservation Guarantees.
- It approved a set of By-Laws & Rules of Procedure.

It should be noted that none of these achievements, or the ones noted below, could have been achieved without a strong collaborative effort between all of the committee members and CPC staff.

## **THE FIRST COMMUNITY PRESERVATION PLAN**

The Community Preservation Act requires the CPC to study the “needs, possibilities and resources” for community preservation in Northampton. Because this plan is the principal document to which the Committee refers when making its decisions, and because it is the principal document which applicants and the public use to learn about the CPA progress, it is worth explaining the processes we used to create it.

To prepare the first *Community Preservation Plan*, the Committee reviewed existing plans and documents bearing on the four funding categories permitted under the Act—open space, recreation, historic preservation, and community housing. (For a list of these resources, see Appendix A.) It also held public hearings and reached out to the public for comment in a variety of other ways. The Committee formally approved the Plan on November 19, 2007.

The Plan summarized our work in identifying community preservation needs for Northampton and developing a fair and open project application and review process. We attempted to synthesize the plans that address the four community preservation activity areas. We reviewed the Sustainable Northampton Plan and Northampton's current resources and outlined the needs and possibilities for community preservation activities enhancing open space, recreation, historic preservation, and community housing. Finally, we set out the criteria we will utilize to evaluate project proposals as well as the process we will use to review proposals.

The creation of the first Community Preservation Plan took all of 2007. We had hoped to have at least one funding round in 2007, but found that we simply could not do that until the Plan was complete. It is fair to say that the committee found the process considerably more complex than it had anticipated. However, in the end it was clear that the time spent on the Plan was extremely valuable. It prepared us very well for the three funding rounds of 2008.

## **THE THREE FUNDING ROUNDS OF 2008**

We began 2008 with monthly meetings, which had been our schedule for 2007. It soon became clear that the intensive application review process required us to meet twice a month, which we did for the rest of the year. Our initial schedule called for four funding rounds, but after the first round we realized that we simply could not sustain the effort required for that schedule even with the bi-monthly meeting schedule. We reduced the number of rounds for 2008 to three (and the number of rounds for future years to two).

The result of almost a year of planning was a very professional three funding rounds. The projects which the Committee recommended and which were funded are listed below:

### **FUNDED COMMUNITY PRESERVATION PROJECTS, 2008**

#### **Summary of Allocations**

Total approved as of March 1, 2009	\$3,342,579.25	
Total Historic Preservation	\$1,633,250.25	(49%)
Total Community Housing	\$961,229.00	(29%)
Total Open Space	\$673,100.00	(20%)
Total Recreation	\$75,000.00	(2%)

#### **Individual Projects funded**

##### **HISTORIC PRESERVATION**

Forbes Library (\$1,000,000 over 4 years)

- For the historic restoration and preservation of the Library.

First Churches (\$250,000)

- For restoration of the roof of the historic meeting house

DAR Betty Allen Chapter (\$2,761)

- For the installation of custom interior storm windows and the restoration of a flag pole.

City Clerk (\$49,708)

- To dismantle bindings, surface dry clean, repair, restore, re-sew, re-bind and encapsulate vital City records.

Committee for Northampton, Inc. (\$150,000)

- To the David Ruggles Center for Early Florence History and Underground Railroad Studies for the purchase of the museum and education center.

Florence Civic & Business Association (approved by the CPC, but not yet funded)  
\$40,000

- For the preservation of the historic structure and historic collection.

Historic Elm Street District (\$35,681.25)

- For revisions to the Elm Street Historic District design standards and historic inventory.

Historic Northampton Museum (\$105,100)

- For the preservation of the Parsons, Shepherd and Damon Houses.

## **COMMUNITY HOUSING**

Habitat for Humanity (\$120,000)

- For the infrastructure costs for six affordable homes to be built on Garfield Avenue.

Alliance for Sober Living (\$39,617)

- For replacement and shoring of structural framing of the main beam, floor beams, and foundation walls.

HAP (\$26,627)

- For support of housing and stabilization for previously homeless families in the community.

Housing First (\$220,000)

- For the acquisition of a house in Northampton to provide up to six units of permanent supported housing for chronically homeless individuals.

Housing Partnership (\$35,000)

- For the development of a housing needs assessment strategic plan.

Service Net (\$8,824)

- For the installation of a new fire alarm system.

Valley Community Development Corporation (CDC) (\$250,000)

- For the preservation of eleven single-room occupancy units on Maple Street.

Valley CDC (\$225,000)

- For the creation of eight new "enhanced" single room occupancy units on King

Street.

Valley CDC (\$26,161)

- For outreach, marketing, counseling, and assistance for the first time homebuyer program in the City of Northampton.

Valley CDC (\$10,000)

- For the establishment of a pre-development fund to assist community housing projects

## **OPEN SPACE**

Nonotuck Land Fund (\$118,600)

- For the purchase of a Conservation Restriction on 168 acres of open space at Marble Brook.

Northampton Conservation Commission (\$150,000)

- For the acquisition of approximately 12 acres of land located at the corner of Ryan Road and Sylvester Road consisting of riparian corridor along Parsons Brook, wetlands, a vernal pool complex and upland area.

Broad Brook Coalition - Open Space (\$12,000)

- For the removal of invasive species located in the Fitzgerald Lake Conservation Area.

Northampton Conservation Commission (\$31,000)

- For the purchase of approximately 1.1 acres of land consisting of wetlands, riparian corridor and upland habitat adjacent to Broad Brook.

Northampton Conservation Commission (\$10,000)

- To establish a conservation fund for high priority, time sensitive open space acquisition and preservation projects.

Northampton Planning Department (\$350,000)

- For the preservation of open space in the Mineral Hills Conservation Area, Turkey Hill Road Addition.

## **RECREATION**

Northampton Planning Department (\$35,000)

- For the purchase of two separate Right-of-Ways for construction of a bike path access ramp.

Northampton Recreation Commission - Open Space and Recreation (\$1,500)

- For the acquisition of land adjacent to Sheldon Field.

Northampton Recreation Commission (\$40,000)

- To the Recreation Commission for a playing fields feasibility study.

## **COMMITTEE MEMBERSHIP, 2007-08**

Members of the Northampton CPC during its initial stages were:

John Andrulis

Don Bianchi

Craig Della Penna

Jack Hornor

Chris Kennedy

George Kohout

Elizabeth (Lilly) Lombard

Mason Maronn

Tom Parent

Fran Volkmann

At the outset, the Committee elected Jack Hornor as its chair, and wishes now to express its appreciation to Jack for his leadership and perseverance as the committee set its course.

The Committee also wishes to thank Jack for preparing this report.

Finally, the Committee wishes to thank Bruce Young, Senior Community Preservation Planner, for his support and expertise, and to John Frey, Community Preservation Planner, for his staff work and financial analyses.

## APPENDIX B: CPA INFORMATION GUIDE

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- The Northampton Community Preservation Committee website contains contact information for Committee members; meeting agendas and minutes; and meeting times and locations. It also includes a variety of documents, including this plan.  
<http://www.northamptonma.gov/gsuniverse/httpRoot/comm/>
- As part of enacting the Community Preservation Act in Northampton, our City Council created the Community Preservation Committee. The ordinance which the Council approved can be found on the City's website, [www.NorthamptonMA.gov](http://www.NorthamptonMA.gov). On the homepage, look for Northampton City Ordinances Now Online and click the E-Code link. On the E-Code home page, click Table of Contents (upper left), Part I – Administrative Legislation, Chapter 22: Commissions and Committees, Article XXIII: Community Preservation Committee.
- The Community Preservation Coalition, of which the Northampton CPC is a member, is an alliance of open space, affordable housing, and preservation organizations that works with municipalities to help them understand, adopt, and implement the CPA. The Coalition website has a wide variety of information, including links to other CPA communities.  
<http://www.communitypreservation.org/index.cfm>
- It is important for every applicant, and useful for anyone else interested in the Community Preservation Act, to read the actual legislation. (Chapter 44B, Commonwealth of Massachusetts General Laws)  
<http://www.mass.gov/legis/laws/mgl/gl-44b-toc.htm>
- The state Executive Office of Energy and Environmental Affairs has a site that includes a number of helpful documents.  
<http://commpres.env.state.ma.us/content/cpa.asp>
- The state Department of Revenue (DOR) is responsible for administering the CPA. It has the authority to institute regulations and procedures, and to make rulings about how CPA funds may be used.  
<http://www.mass.gov/?pageID=dorsubtopic&L=5&L0=Home&L1=Local+Officials&L2=Municipal+Data+and+Financial+Management&L3=Data+Bank+Reports&L4=Community+Preservation+Act&sid=Ador> (If this link does not work, go to [www.mass.gov/dor](http://www.mass.gov/dor) and then to For Local Officials,

Municipal Data and Financial Management, Data Bank Reports, Community Preservation Act).

- The Northampton Office of Planning and Development (OPD) website contains links to most of the documents referred to in this Plan.  
<http://www.northamptonma.gov/opd/>
  - 2006—07 Sustainable Northampton Plans and Reports
  - *City of Northampton Open Space and Recreation Plan 2005-2010*
  - Downtown Architecture Study, 1999
  - Historic Preservation Plan, 1992
  - Vision 2020 Report, 1999
  - Grow Smart Northampton, 2003
  - Central Business Architecture: Code, Part II, C. 156 (Design Guidelines at 2226-156a)
  - Demolition Delay: Code, Part II, C. 161
  - Elm Street Historic District: Code, Part II, C. 195
  - Chapter 40B Subsidized Housing Inventory, dated 10/1/01, prepared by DHCD
  
- Fair Housing is an important concept that the Community Preservation Committee fully endorses. The CPC will review, and project sponsors are encouraged to review, the section on "Buyer Selection" in the DHCD Application Guidelines for the Project-Based Homeownership Programs, which can be accessed through the DHCD website at [www.mass.gov/dhcd](http://www.mass.gov/dhcd) or by going to [www.mass.gov/dhcd/components/housdev/want/dvlper/app\\_guid.pdf](http://www.mass.gov/dhcd/components/housdev/want/dvlper/app_guid.pdf). Consistency with this specific DHCD policy is not a required project review criteria for projects applying to the CPC; however, consistency with fair housing is required, and particular attention will be paid by the CPC to fair housing in reviewing any project proposal that includes a local preference component.

# APPENDIX C: GLOSSARY

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## TERMS FROM THE MASSACHUSETTS COMMUNITY PRESERVATION ACT

As used in this act, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:

"**Acquire**", obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. "Acquire" shall not include a taking by eminent domain, except as provided in this chapter.

"**Annual income**", a family's or person's gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

"**Community housing**", low and moderate income housing for individuals and families, including low or moderate income senior housing.

"**Community preservation**", the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.

"**Community Preservation Committee**", the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

"**Community Preservation Fund**", the municipal fund established under section 7.

"**CP**", community preservation.

"**Historic resources**", a building, structure, vessel, real property, document or artifact that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

"**Legislative body**", the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

**"Low income housing"**, housing for those persons and families whose annual income is less than 80 per cent of the area-wide median income. The area-wide median income shall be the area-wide median income as determined by the United States Department of Housing and Urban Development.

**"Low or moderate income senior housing"**, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

**"Maintenance"**, the upkeep of real or personal property.

**"Moderate income housing"**, housing for those persons and families whose annual income is less than 100 per cent of the area-wide median income. The area-wide median income shall be the area-wide median income as determined by the United States Department of Housing and Urban Development.

**"Open space"**, shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

**"Preservation"**, protection of personal or real property from injury, harm or destruction, but not including maintenance.

**"Real property"**, land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

**"Real property interest"**, a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

**"Recreational use"**, active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field.

"Recreational use" shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

**"Rehabilitation"**, the remodeling, reconstruction and making of extraordinary repairs to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended use, including but not limited to improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes. With respect to historic resources, rehabilitation shall have the additional meaning of work to comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68.

### **ADDITIONAL TERMS**

It is important for the *Community Preservation Plan* and related documents to be as clear as possible. If there are additional terms that need to be defined, please let us know. You can contact Bruce Young, Senior Community Preservation Planner, at (413) 587-1263 or [byoung@northamptonma.gov](mailto:byoung@northamptonma.gov) or, Fran Volkmann, Chair of the Community Preservation Committee, at (413) 584-6641 or [Franv@comcast.net](mailto:Franv@comcast.net).

# **APPENDIX D:** **PRESERVATION GUARANTEE GUIDELINES**

## **INTRODUCTION**

The Community Preservation Act (CPA) allows taxpayer money to be used for open space, community housing, historic preservation, and recreation projects. Some CPA projects create something new, which is then preserved, while some preserve something that already exists. But in every case it is important for the preservation goals of the community to be met. Because of this, the Community Preservation Committee (CPC) requires that the Grant Agreement for every CPA project involving real or other property include some kind of preservation guarantee.

The Committee reserves the right to require the preservation guarantee it believes will best serve the community. Generally, however, the Committee will require permanent guarantees for Open Space, Historic Resource and Recreation projects. A preservation guarantee will be required for Community Housing projects.

## **TYPES OF CPA PROJECTS & RELEVANT PRESERVATION GUARANTEES**

**Acquisition** (applicable to Open Space, Historic Resources, Recreation, Community Housing)

The CPA Law requires that an open space, historic resource, recreation or community housing real property interest that is acquired with CPA funds must be bound by a permanent preservation guarantee that meets the requirements of Massachusetts General Law, [Chapter 184](#), which limits the use of the property to the purpose for which it was acquired.

**Creation** (applicable to Open Space, Recreation, Community Housing), and **Preservation or Rehabilitation/Restoration** (applicable to Open Space, Historic Resources, Recreation, Community Housing)

Projects that are created, preserved, rehabilitated or restored with the use of CPA funds must have a guarantee deemed appropriate by the Community Preservation Committee. See below for our guidelines on long-term vs. short-term guarantees. *Note: Open Space, Recreation and Community Housing rehabilitation/ restoration projects are only allowed if the property was acquired or created using Community Preservation Act funds.*

## **Support**

Support projects are only allowed in the area of Community Housing. Support projects are not required to have preservation guarantees.

## **HOW PRESERVATION GUARANTEES WORK**

**General definition of a preservation guarantee:** For the purposes of the Northampton Community Preservation Committee, a preservation guarantee means a limitation on a property that is appropriate for the protection of open space, historic resources, recreation or community housing. Every preservation guarantee is included or referenced in the Community Preservation Committee Grant Agreement, which CPA funding recipients must sign.

The Committee may consult with various City boards and other organizations to help determine the most appropriate preservation guarantee. Applicants may be requested to meet with a City board as part of the CPC application review process.

The Community Preservation Committee understands that not every applicant is familiar with preservation guarantees; the Committee is prepared to offer technical assistance to applicants in this area. The CPC has a number of standard guarantees already written, and generally these can easily be modified to fit a particular project. Applicants may need to obtain legal advice prior to acceptance of a guarantee. However, the Committee will make every effort to draft preservation guarantees, so that legal advice will only be necessary for the review of such documents.

### **How the CPC manages preservation guarantees:**

Real property interests which are acquired by the City through the CPA process must be owned and managed by the City of Northampton, but the City Council may delegate the management of such property to the Conservation Commission, the Historical Commission, the Recreation Commission or the Housing Authority. The City Council may also delegate management of such property to an appropriate nonprofit organization. This means that for any acquisition project, the City of Northampton will hold the preservation guarantee and be an enforcement agent.

Every other kind of preservation guarantee will be held by the City of Northampton and managed by the Community Preservation Committee. Other City committees or boards may help with this work, but a funding recipient will need to certify annually, for the length of the preservation guarantee, that they are meeting the terms of the preservation guarantee. For most projects, the annual preservation guarantee certification will require the submittal of a simple,

one-page document. The Community Preservation Committee will review all annual reports to ensure Community Preservation Act funds are being spent according to the CPA Law and the rules and regulations guiding the Community Preservation Committee.

**What happens if a funding recipient breaks the terms of a preservation guarantee?** The Committee has the right to enforce all preservation guarantees. This right is spelled out in every preservation guarantee. Generally speaking, the goal of enforcement will be to return the project to the state agreed upon in the Grant Agreement signed by the Committee and the funding recipient.

## **EXAMPLES OF LONG-TERM AND SHORT-TERM PRESERVATION GUARANTEES**

The following is a list of the most common preservation guarantees. It is not a conclusive list of all preservation guarantees that may be approved by the Community Preservation Committee. CPA projects vary widely and the Committee reserves the right to require whatever preservation guarantee it believes will best serve the needs of the community. Recognizing that preservation guarantees are complex, the Committee encourages applicants to contact us to discuss the range of preservation guarantees that might be appropriate for a particular project.

**Conservation Restriction (Long-Term):** A Conservation Restriction is a long-term preservation guarantee which applies to Open Space and Recreation projects. It protects open space and recreation areas from development and limits certain activities that would be detrimental to the open space or recreation land purchased with CPA funds. A Conservation Restriction is a specific type of restriction that carries the highest level of protection, and therefore it must be approved by the Massachusetts Secretary of Environmental Affairs as well as the Community Preservation Committee and City Council.

**Affordable Housing Restriction (Long-Term):** An Affordable Housing Restriction is also a long-term restriction that provides the highest level of preservation guarantee, requiring any such Restriction to be approved by the Massachusetts Director of Housing & Community Development as well as the Community Preservation Committee and City Council. An Affordable Housing Restriction protects low-income and moderate income housing units.

**Historic Preservation Restriction (Long-Term):** A Historic Preservation Restriction provides the highest level of preservation guarantee, requiring any such Restriction to be approved by the Massachusetts Historical Commission as well as the Community Preservation Committee and City Council. A Historic

Preservation Restriction ensures that inappropriate changes are not made to historic properties.

*Note: The three above terms (Conservation Restriction, Affordable Housing Restriction, and Historical Preservation Restriction) are formal names which are always capitalized. This helps differentiate them from other terms.*

These ways of guaranteeing the permanent preservation of CPA projects are most appropriate for large projects, and are required for projects in which a real property interest is acquired. However, many other CPA projects do not rise to the level of needing permanent preservation guarantees. Below are examples of some other preservation guarantees.

**Deed Restrictions:** Deed restrictions are restrictions on a deed that place limitations on the use of the property. A deed restriction may initially run with a property for no more than thirty years. However, a deed restriction may be extended if it is written to allow the holder of the restriction to re-record it prior to its expiration. The Northampton Community Preservation Committee and the Northampton City Council must approve all deed restrictions.

**Memorandum of Agreement:** A memorandum of agreement (MOA) or cooperative agreement is a document written between parties to cooperatively work together on an agreed upon project or meet an agreed upon objective. The purpose of an MOA is to have a written understanding of the agreement between parties. The MOA is a legal document that is binding. The Northampton Community Preservation Committee and the Northampton City Council must approve all Memorandums of Agreement.

**Mortgage:** A mortgage is a conditional pledge of property to a creditor as security for performance of an obligation or repayment of a debt. The Northampton Community Preservation Committee and the Northampton City Council must approve all mortgage agreements.

# APPENDIX E: ALLOWABLE USE TABLE

**Chart 3  
COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSES**

DEFINITION	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel, real property, document or artifact listed or eligible for listing on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field  Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure	Housing for low and moderate income individuals and families, including low or moderate income seniors  Moderate income is less than 100%, and low income is less than 80% of US HUD Area Wide Median Income
<b>ACQUIRE</b>	Yes	Yes	Yes	Yes
<b>CREATE</b>	Yes		Yes	Yes
<b>PRESERVE</b> Means protect from injury, harm or destruction, not maintenance	Yes	Yes	Yes	Yes
<b>SUPPORT</b>				
<b>REHABILITATE/RESTORE</b> Means remodel, reconstruct or repair (extraordinary, not maintenance) to make property functional for intended use, including improvements to comply with federal, state or local building or access codes or with federal standards for rehabilitation of historic properties	Yes if acquired or created with CP funds	Yes	Yes if acquired or created with CP funds	Yes if acquired or created with CP funds