

City of Northampton, MA
Urban Forestry Commission (UFC)

January 25, 2021

Meeting Minutes

Submitted By: Richard Parasiliti Jr

Meeting Called to Order

Richard Parasiliti Jr., Ex-officio Chair called the meeting to order at 3:00 p.m. and announced that this virtual meeting would be recorded to the Cloud via the Zoom platform.

Members present and absent/introductions:

Member	Present	Time if arriving late or leaving early
Richard Parasiliti Jr., Ex-officio Chair	X	
Sue Lofthouse	X	
David Lukens	X	
Staff & Visitors	Present	Time if arriving late or leaving early
Christina Peterson	X	
Carolyn Misch		3:20pm arrival, 3:50 departure

Public Comment

- None

Ordinance Change

- Rich announced that Carolyn Misch will join us at 3:20pm for one half hour to answer questions about the proposed zoning change Ordinance Relative to 2-Family By Right Zoning.
- The ordinance change would relax restrictions throughout the city allowing more building of 2-family dwellings (currently only allowed in 2 districts, expanding the allowance to all districts).
- The committee began on page 8 of the proposed ordinance reviewing tree language for screening section. This proposed language is separate from the language in the Significant Tree Ordinance. Under 4) Screening c. which reads “For every tree over 3” in caliper removed for construction, a replacement shade tree of at least 1” caliper must be planted on the property. When more than three trees are required for replacement, a variety of shade trees selected from the Planning Board’s tree list must be selected.” The committee members all asked why they used this mitigation language and why it lacks specifics.
- Rich confirmed that “Planning Board’s tree planting list” refers to the Tree List and Planting Guidelines which is built into the STO.
- Rich received and update from Carolyn in the past few days explaining that this change was originally written to allow building by right so that projects don’t have to go to the planning board for approval. Now it will by right, pending approval by site plan review.
- David noted that at a recent hearing there was strong public opposition and Carolyn told people this is not by right and will be subject to site plan approval.
- All of the committee members were curious where this proposed change stands in the overall process of implementation? And committee members are very interested to understand why the UFC wasn’t invited to comment on this change much earlier. The Planning & Sustainability Department didn’t come to the UFC before crafting the language and this only came to our attention because David noticed it in the newspaper and he attended a public session. The

committee is surprised such a radical change as this has come so far so quickly. The public hearing took place at a time when the UFC was not allowed to meet because of covid.

- The committee also reviewed the proposed ordinance change section General Standards relating to heating systems and what triggers a plan to be required to go through site review. Committee members wanted to know why if you have to go to the planning board for site plan review why doesn't the STO apply? David asked if there could be an amendment to the zoning language?
- Christina questioned why only 25% of units need to be affordable. That is flummoxing if this is to encourage affordable housing. David has spoken with Councilor Jarrett who confirmed that within a 90 day period it can be amended but only subtle changes.
- David's concerns are that people can cut down large trees without any constraints, without even a second look and requirement to consider possible options to design around trees. Rich added that in general a lot of people moved here because of forested beauty. 48-50% canopy which is excellent (NY 23% and Boston 20% or less).
- Carolyn joined meeting 3:20pm.
- David asked: If we went back in time to the September 24th forum, would it have been possible to insert the STO onto this? Carolyn replied that it is not relevant to tack [STO provisions] into to 2-formula ordinance.
- The committee asked her to explain for us why the change is worded as by right, but it's not necessarily by right. Carolyn replied in detail about the STO as it currently works and asserted that this ordinance adds something that's not there now. She continued saying that this is actually adding a component of tree planting that is not in the ordinance now.
- Susan asked if this opens door for removal of a lot of trees. Carolyn replied that it doesn't open door. The door is already open.
- Susan asserted that there's a real concern that as all of this building takes place that we're losing the character of our town, which is the canopy. Carolyn said you can't make that leap and this is really a sort of a half step, an adjustment to what is allowed.
- David said he listened to the joint hearing and it seems like you suggested that instead of by right this might be by site plan application. Can you make that change without triggering a reset? Carolyn replied yup, in one of the outlying areas by site plan the STO would apply.
- Christina asked how the determination is made for affordable housing. Carolyn replied that the city doesn't run it. Christina asked if an affordable housing developer would purchase 2-families and convert them. Carolyn said no, not necessarily, and she thinks that it could be a nonprofit who buys the property and turns around and sells it, like Habitat. It would be market rate affordable.
- Asked about the Feb. 8 meeting Carolyn said it isn't a public hearing. It's a joint meeting and the boards will discuss. There is a very limited public comment time. The Public hearing is now over. The 90-day clock, dictated by state statute, requires a council vote within 90 days. Carolyn left the meeting at 3:50pm.
- The committee agreed that the process is still unclear. This change allows people to build a 2-family home under 2,000 sf by right but makes them replace trees. Rich suggested that this change could be seen as strengthening trees on private property now being cut down.
- David asserted that the door is already open – the STO is a half strength ordinance.
- Rich will send follow up questions: Who is going to determine how many 3inch trees are on the property? Who will measure the trees? Is there an inventory required? If there is no room left to plant what happens? Is there a way to contribute to a mitigation fund? If it's a special permit application for a 2-Family By Right does the STO also apply on top of the new ordinance language? Language replacement for "planning board tree list" needs to be replaced. Rich can send these questions and see if they can change those things without throwing it away.
- David says there's a lot of support for trees and it might be a chance for this commission to express a preference for something aspirational. At the joint meeting we should provide a statement so the

Planning Board knows what our preference would be and we should provide something the public can get behind.

Significant Tree Ordinance

- The committee reviewed City of Northampton code of ordinances related to the Significant Tree Ordinance. Please see accompanying draft documents.

Any other business not anticipated by the Chair

- Nothing new to add.

To Do List

- Dispensed to next meeting.
- A motion was proposed, seconded and a roll call vote was taken. There was no further discussion.

Motion	Motion By:	Seconded By:	Vote:
To adjourn.	Rich Parasiliti	David Lukens	Yes 3, No 0, Abstain 0

Meeting adjourned at 5:30 p.m.