



Committee on Community Resources and the Northampton City Council

Committee Members:

Councilor Dennis P. Bidwell

Councilor Maureen T. Carney

Councilor Alisa F. Klein

Councilor Gina-Louise Sciarra

Date: February 21, 2017

Time: 6:00 pm

**Location: City Council Chambers
212 Main St., Northampton, Massachusetts**

Meeting Minutes

1. **Meeting Called to Order and Roll Call:** At 6:00 pm Councilor Sciarra called the meeting to order. She announced that the meeting was being video and audio recorded. Present at the meeting were committee members Councilors Sciarra, Bidwell and Carney. Councilor Klein was absent.

Also present was Mayor Narkewicz and Sr. Land Planner Carolyn Misch.

2. **Public Comment: None**

3. **Approve Minutes of November 21, 2016 & Minutes of December 19, 2016**

Councilor Carney moved to approve the minutes as a group; Councilor Bidwell seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Klein).

4. **Revisit committee meeting date for April:**

Councilor Sciarra requested that the Committee revisit the April meeting date since the meeting conflicts with another committee (in which she is a member) that is meeting earlier in the evening. She wonders if the meeting date could be changed.

The committee discussed other dates, but could not find a suitable alternative. Councilor Sciarra suggested leaving the meeting date on April 18th at 6pm but notes that she may not be available to attend.

5. **CSR Follow-up:** Since the Committee submitted its CSR report, portions of the recommendations have been worked on. Councilor Sciarra notes that a good chunk of work was done regarding wage theft legislation. Councilor Bidwell has also started working on op-ed pieces.

Councilor Bidwell recalls that in the report there were two or three topics that were suggested for op-ed pieces. He would like to draft something for the committee's review; after he gathers additional input from the committee, he would then submit the op-ed piece or pieces for publication. If the committee agrees, he will try to bring a draft of one or two op-ed pieces to the March 20th meeting. The committee agreed with his recommendation.

Councilor Sciarra wondered if Councilor Klein was interested in working on op-ed pieces as well. She notes that since the committee's report was submitted, the new economic indicators have been released by the Mayor's Office.

Councilor Bidwell committed to bring a proposal to the March meeting.

Councilor Bidwell reported that he had a recent discussion with the Mayor concerning the panhandling/at-risk population in downtown. Mayor Narkewicz reports that he is doing some work on this internally. While there are a few other pressing priorities (budget), he is still having the discussions internally and may be prepared to bring something forward next month. He explained that he has received a request from the Springfield Republican newspaper to write a piece for the paper's Outlook 2017 segment. Amy Cahillane from Northampton's DNA and Joanne Marquess from Cooley Dickenson Hospital also submitted op-ed pieces as well. The Mayor stated that his piece touched upon the economic outlook for Northampton and also touched a little bit on the economic indicators.

Mayor Narkewicz asked whether the committee had hoped that a committee member take part in a panel convened by the Mayor; members of the committee stated that they would. Councilor Bidwell also hoped that a committee member could be a part of the Arts and Events panel as well. He explained that Councilor Klein had expressed an interest in representing the committee at those discussions. Mayor Narkewicz reports that he has spoken to Brian Foote, the Arts and Culture Director for the City. Every three years Director Foote convenes a meeting with stakeholders in the arts community to talk about the issues and work that is being done. This discussion is done as part of a requirement for membership to the Mass Cultural Council. Mayor Narkewicz was checking on the timing of the meeting, but it might make sense to wait for that meeting. Also, Director Foot convenes Paradise City Cultural District panel which is an organization made up of all the arts organizations. One or both of those meetings may be the best vehicle to convene a meeting and have the committee's interest be part of the focus of the meeting. The Paradise City Cultural District organization has been working on maps and calendars addressing City events and such. Director Foote would be more amenable to participating after the month of February.

6. Items referred to committee:

17.250 An Ordinance to add a new smart overlay district - Referred to committee on February 16, 2017

The proposed ordinance is an expansion of what the State refers to as "40R" because it is under Mass General Law 40R which is within the land use section of the State statutes. The statute provides for and

encourages communities to adopt overlay districts for the purpose of creating housing. The statute has been on the books since about 2006 or 2007. At that time the City adopted an overlay just for the State Hospital area because the City was planning to develop housing in that area.

Sr. Land Planner Misch explained that communities can adopt a 40R overlay to develop housing, a certain portion of which needs to be affordable housing. For every housing unit that is created, the State will give a payment to the local government for housing that is constructed within those districts. This is done in accordance with the locally adopted ordinance. This proved to be beneficial for the City to receive those payments for units that were already planned. The map that is included with the packet shows the original area that was adopted in 2007. This was approved by the State; at that time the State had also approved language just for the area at Village Hill.

The City had assumed that if it worked out well, it would look at other areas to add an overlay. The requirements under the statute stipulate that the overlay district must be accessible to transit as well as goods and services. It is not for overlaying just anywhere where there is residential development. The 40R statute allows for greater density than what an underlying overlay may ordinarily allow.

In the case of 82 Bridge Street, the proposal is just to do an expansion on one parcel only. The parcel is currently owned by Valley Community Development Corporation. They are intending to do an expansion of their existing building to allow for additional SRO (single room occupancy) units. The number of units they have now is 15 which exceeds the zoning allowance. They would like to do a whole set of renovations and in the end they would end up with 30 units. The only way that they could be able to do the renovations under existing zoning regs would be to do it under the 40B process which is an allowance whereby the projects go to the Zoning Board of Appeals and ZBA has the jurisdiction under 40B. The Zoning Board could then waive all local requirements in order to enable affordable housing. The 40B class is harder for a developer to go through because they must get preapprovals before they come to the City. The City talked with Valley CDC about creating a 40R district for their project. In order to do this, City council would need to adopt a 40R for the location. The State would also need to approve the language that is proposed. It is a much simpler logistical process for the applicant to go through a 40R versus a 40B. The City knows that Valley CDC wants to develop the units; they are expanding a community that is already established at that location; there is a demand; and they have twenty years of ownership experience at that location. The benefit to the City by going through 40 R is that the City will receive potentially \$5,000 per unit payment from the state that would be used primarily to offset any impacts that might be associated with additional density in certain neighborhoods. The City felt like this was a win-win for both Valley CDC and the City to go through the 40R process. It is also consistent with the City's policy of looking at other areas where more density could be encouraged.

Councilor Sciarra clarified that the goal was not to overlay from Village Hill to Bridge Street. Sr. Land Planner Misch indicated that was correct; Mayor Narkewicz compared the 40R to "spot zoning" at the Bridge Street location. The size of the parcel is ½ acre. There was some discussion about including other properties; however, a broader conversation would be necessary with other stakeholders. In the end, it was decided to just concentrate on the 82 Bridge Street location for now.

Councilor Sciarra wondered what determines how much the State will give the City for each unit. Mayor Narkewicz indicated that it will be determined based on how much the Legislature funds the Trust Fund that the money comes out of. He recalled that he was the City Councilor when Village Hill overlay district was

determined and that it was already known that the City would build at a certain density level. The money that was received from the Village Hill project was used to do traffic related projects on South Street and will also be used in the future to do traffic related projects on Main Street. He recalls that the concern about Village Hill was that it was thought that South Street and Route 66 area was going to be congested. If the City ends up doing a Main Street project, it will be good to have another source of funds in which to draw from to fix traffic related problems. Mayor Narkewicz states that it would be helpful to have funds available for traffic concerns at the other end of Main Street. Sr. Land Planner Misch noted that the City is still waiting to get money for the Christopher Heights project. The State is a little behind on getting payments out for that project.

Sr. Land Planner Misch explained that the 82 Bridge Street location is contained within a blue boundary on the map that was provided. The red portion is the Central Business District in the downtown area. The property is located near Historic Northampton.

Mayor Narkewicz noted that he has already talked to Ward 3 Councilor Jim Nash. Councilor Nash has already started a dialog with the Ward 3 Neighborhood Association. Valley CDC came to their board to talk about the project. He believes that Councilor Nash will also be scheduling additional meetings with the area schools. Mayor Narkewicz feels that there has been a net loss of SRO housing over the years; it is felt that Valley CDC runs a good program at that location.

Sr. Land Planner Misch explained that the proposed district overlays the URC district so there are elements of the URC district that will still hold, including, set-backs, open space, etc. The proposed changes mostly deal with allowing greater density than the underlying zoning allows.

Councilor Bidwell also spoke with Councilor Nash; there is a tremendous amount of confidence for Valley CDC to double the amount of units; they provide great oversight and have a good screening process for occupants. The only concern that Councilor Nash had was whether architecturally the building would fit in. Councilor Bidwell wondered if there was any flexibility for a design that fit in better with the other structures on the street. Sr. Land Planner Misch indicates that those are permit issues and questions that can be posed in front of the Planning Board. The addition that is planned is going to be located in the back of the building so for the most part the front will not change dramatically. The issue can be raised during the permit review process.

Councilor Bidwell asked about language changes in the ordinance. Sr. Land Planner Misch explained that the State asked the City to revise the ordinance so that in 40R Section 20, the State Hospital had its own subsection. The new Bridge Street 40R would be added as its own separate subsection. The design requirements for URC pertaining to the Bridge Street overlay were added. The density section pertains to only the Bridge Street location. All of the definitions remain the same.

Mayor Narkewicz noted that Valley CDC is working on securing financing for the project.

17.251 An Ordinance to remove the Residential Incentive overlay from the Zoning Map 350-3.4 -
Referred to committee on February 16, 2017

Regarding the 40R residential incentive overlay, the ordinance was adopted about 30 years ago to encourage more density, but there was a requirement that you had to include affordable housing units as part of a cluster development. It was adopted at the time when it was thought that there was excess infrastructure capacity (roads, sewer, etc). Since that time there have only been two projects brought forward; a development was built on Pines Edge, but a second development on Bridge Road was not.**1 The areas are not the most accessible for affordable housing providers, so there has not been much interest. Now there are different demands and there is not necessarily the same infrastructure capacity. Also, the Sustainable Northampton plan is not calling for more development in that area of the City. When Rural Residential zoning changes were made, the text portion of the ordinance was removed, but not the map. The only change made now is the removal of the map.

Councilor Sciarra wondered if interest would change once the overlay is removed. Sr. Land Planner Misch noted that a lot of the area has water supply protection so it is in an area where a lot of new development is not encouraged. The City wants to focus on areas that are less sensitive environmentally and also closer to services.

17.252 An Ordinance to clarify the definition of structure for compliance with setbacks in 350-2.1 of said code - Referred to committee on February 16, 2017

Sr. Land Planner Misch explained that essentially the changes introduced are an attempt to clean up language to reflect what has been the practice as interpreted by the Building Commissioner's Office. Fences don't need to meet the set-back requirements of detached accessory structures. Fences and other structures noted in the ordinance can be placed right on the property line.

Councilor Bidwell moved to return all three ordinances back to the City Council with a positive recommendation; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Klein).

8. New Business: Councilor Bidwell complimented the work of Economic Development Director Terry Masterson on his economic indicator report that was presented at the Greater Northampton Chamber of Commerce meeting. His information was well presented. Mayor Narkewicz reported that he met with the Florence Civic and Business Association today. One of the projects for the new year is to create a similar set of indicators for downtown Florence.

9. Adjourn: At 6:40 pm Councilor Bidwell moved to adjourn the meeting; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Klein).

Prepared By:

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¹ These minutes reflect the discussion that took place on the day of the meeting. At the City Council meeting of March 16, 2017, Sr. Land Planner Misch explained that the Pines Edge Project was actually a project built under 40B provisions, not 40R. While a second project was brought forward under 40R, it was never built.