

City of Northampton

MASSACHUSETTS

In the Year Two Thousand and Nine

UPON THE RECOMMENDATION OF Councilor Narkewicz

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section ~~350-10.7 & 5.2~~ of said Code; providing that Amend Section 350-10.7 Heavy Public Use and Section 5.2 Table of Use Regulations

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1. That section ~~350-10.7 & 5.2~~ of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

"Section

SECTION 350-10.7 Heavy Public Use

{Amend the Heavy Public Use ordinance as shown}

For a special permit ~~from the City Council~~ for the construction of, development of, or use of any lot for a heavy public use, the following conditions shall apply:

A. A statement shall be submitted indicating the need for the facility or use and the rationale for its development, the criteria used in selecting a site, and the location of all alternative sites considered, and the reasons for not selecting them.

B. In addition to the material required in § 3500-11, the following must be shown on the site plan:

(1) Two-foot contours on the parcel and within 50 feet thereof.

(2) The location and dimensions of all buildings, structures, and exterior use areas, including all parking areas and driveways.

(3) The location of buffer strips, screening provisions (with details attached), and areas to be preserved in a natural state, all these to be sufficient to preclude visibility of the uses and structures from adjoining parcels.

(4) Such other facts as the ~~City Council~~ **Planning Board** may require.

C. In considering an application for a heavy public use, the ~~City Council~~ **Planning Board** shall be particularly cognizant of potential noise, odors, or other detrimental environmental nuisances which might be generated; of traffic and the ability of the local street network to accommodate increased traffic; of the ability of the utility systems to accommodate any increased demands

which might be placed upon them by the proposed use; and of the applicable provisions of the adopted Comprehensive Plan of the City.

SECTION 5.2 Table of Use Regulations

{Amend the table entry shown below. No other changes to the table}

Utilities, Telecommunications, Municipal Facilities

Heavy Public Use – {Replace “CC” (City Council) with “PB” (Planning Board) wherever it appears in this table entry as the permit granting authority.

Mary Midura

From: David Narkewicz [dnarkewicz@gmail.com]
Sent: Tuesday, July 28, 2009 2:48 PM
To: Mayor of Northampton; james dostal; Mary Midura; Corinne Philippides
Subject: Fwd: Proposed Late File Ordinance for Referral to Committees on Thursday, July 30th, 2009

Correcting month from my previous e-mail

David Narkewicz
31 South Park Terrace
Northampton, MA 01060

Begin forwarded message:

From: David Narkewicz <dnarkewicz@comcast.net>
Date: July 28, 2009 12:53:00 PM EDT
To: Mayor of Northampton <mayor@northamptonma.gov>, james dostal <jmdostal@verizon.net>, Mary Midura <mmidura@northamptonma.gov>
Subject: Proposed Late File Ordinance for Referral to Committees on Thursday, July 30th, 2009

Dear Mayor Higgins and Council President Dostal,

Attached please find a proposed late file ordinance I have drafted and wish to have placed on the Thursday, July 30, 2009 City Council agenda for purposes of referral to the Planning Board, Committee on Economic Development, Housing, and Land Use, and the Committee on Elections, Rules, Orders, Ordinances, and Claims.

I am also attaching as supplemental historical information a copy of an ordinance change enacted in 2004 that represents the last time the City Council, via the Ordinance Committee and Planning Board, formally reviewed the Heavy Public Use ordinance and related definition and tables.

Thank you for your attention to this matter. Please let me know if you have any questions or need additional information.

Respectfully,
David

David Narkewicz
Ward 4 City Councilor
31 South Park Terrace
Northampton, MA 01060
413.586.7230
<Amend Ordinance 350-10.7 and Section 5.2>
<2004HeavyPublicUseOrdinanceReview.pdf>

City of Northampton

MASSACHUSETTS

In the Year Two Thousand and Four

UPON THE RECOMMENDATION OF City Council Ordinance and Planning Board
and the Committee on Economic Development, Housing, and Land Use
ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, ~~be amended by revising section~~ ^{Appendix A §2.1 and 5.2}, of said Code; providing that ~~Change Special Permit Granting Authority for junk cars and~~ bridges and drop sewage lift stations from being considered heavy public use

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1. That section of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

"Section

{Purpose: Rationalizing Special Permits granted by City Council and Heavy Public Use

Most Special Permits are either issued by the Planning Board (those that require Site Plan Approval) or by the Zoning Board (those that do not require Site Plan Approval). A half-dozen permits are issued by City Council for a variety of historical reasons. The Ordinance Committee reviewed these permits (they are responsible for holding hearings on City Council permits) and they have suggested a couple of changes to reduce City Council workload and reduce burden on planning staff. As part of this review, they examined the definition of Heavy Public Use and have requested that we drop the reference to sewage lift stations. These are essential public facilities that should be allowed everywhere. They have little adverse impact.}

Section 2.1 - General

{Amend the Heavy Public Use definition as shown. No other changes to section.}

HEAVY PUBLIC USE: Any structure or use:

1. Used by a government agency if not otherwise exempt from zoning or allowed elsewhere in this ordinance; and
2. Any of the following specific uses conducted by or for the City of Northampton: truck or equipment storage garage or yard, vehicle repair garage, or waste recycling plant; and

any public or private sanitary landfill, dump, incinerator; or water or sewage treatment facility, or sewage lift station.

Section 5.2 - Table of Use Regulations.

{Amend the table entry shown below. No other changes to the table.}

Junk cars, motor vehicle accessories, scrap metal--- {Replace "CC" (City Council) with "ZBA" (Zoning Board of Appeals) wherever it appears in this table entry as the permit granting authority.}

Private bridge, tunnel-- — {Replace "CC" (City Council) with "PB" (Planning Board) wherever it appears in this table entry as the permit granting authority.}

In City Council, October 21, 2004

Rules suspended, passed two readings, ordained and enrolled.

Attest: John Nuttelman City Clerk of Council

Approved: Mary Clare Higgins Mayor

A true copy.

Attest: John Nuttelman City Clerk of Council