

CITY OF NORTH ADAMS  
City Clerk's Office  
August 7, 2014

I hereby notify that at twelve noon today the following items of business have been filed with this office and will be acted upon at the meeting in the City Council Chambers at City Hall, Tuesday evening August 7, 2014 at seven-thirty o'clock according to Section 8, Rules and Orders of the City Council.

Marilyn Gomeau  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL  
August 12, 2014

Roll Call

Moment of silent prayer  
The Pledge

Approval of the minutes from the Regular Meeting of July 8<sup>th</sup>.  
Approval of the minutes from the Special Meeting of July 15<sup>th</sup>.  
Approval of the minutes from the Regular Meeting of July 22<sup>nd</sup>.

- 9625-6** Communication submitted by Councilor Lamb regarding litter in the City, which was referred to the Public Safety Committee and postponed at the meeting of May 27<sup>th</sup>.
- 11,382** Communication submitted by Councilor Buddington regarding farming, which was referred to the General Government committee and postponed at the meeting of May 27, 2014.
- 11,393** Mayor's communication #36 re-appointing the Election Officers for a term beginning September 1, 2014 to September 1, 2015.
- 11,394** Mayor's communication #37 recommending the re-appointment of Christopher Tremblay to the North Adams Housing Authority for a term to expire July 1, 2019.
- 11,395** Mayor's communication #38 recommending the re-appointment of James M. Neville to the North Adams Housing Authority for a term to expire July 1, 2019.
- 11,396** Mayor's communication #39 recommending the re-appointment of Shirely Davis to the MASS MoCA Commission for a term to expire August 1, 2017.
- 11,397** Mayor's communication #40 recommending the re-appointment of Robert Burdick to the MASS MoCA Commission for a term to expire August 1, 2017.
- 11,398** An Order calling the State Primary Election for September 9, 2014 from 7:00am to 8:00pm.
- 11,399** Communication submitted by Councilor Lamb regarding a local Historic District Commission.
- 11,400** A request for a public hearing submitted by Dufour, Inc. to install an aboveground storage tank for diesel fuel, 10,000 gallons.

**CORRESPONDENCE**

**LICENSE**

An application submitted by Erik Shields, 419 Church Street to drive taxi for Michael McMillian, City Cab.

An application submitted by Brandon Hurst, 25 Arnold Place Apt. B to drive taxi for Michael McMillian, City Cab.

**OPEN FORUM**

**COUNCILLOR'S & MAYOR'S CONCERNS**



# Office of the City Clerk City of North Adams

10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3015

City Clerk Marilyn Gomeau

## REGULAR MEETING OF THE CITY COUNCIL July 8, 2014

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

**COUNCILORS PRESENT:** Blackmer, Bona, Buddington, Lamb, Merrigan, Moran, Wilkinson, absent Councilor Breen, Bullett.

A moment of silent prayer was observed, remembering Raymond Babeu father of former Councilors Shaun and Paul Babeu.

The Pledge of Allegiance was recited.

The President called for the approval of the minutes of the June 24<sup>th</sup> meeting.

On motion of Councilor Wilkinson, duly seconded by Councilor Merrigan it was VOTED: to approve the minutes as presented.

**11,377** The President presented an Order authorizing the Mayor to petition for Special Legislation concerning liquor license for Steeple City Liquors which was referred to the Public Safety Committee and postponed at the meeting of May 27<sup>th</sup>.

On motion of Councilor Wilkinson, duly seconded by Councilor Bona it was VOTED: to postpone to the meeting of August 26<sup>th</sup>.

**11,377-1** The President presented an Order accepting Chapter 138, Section 15 of the Massachusetts General Laws; License. Steeple City Liquors which was postponed at the meeting of May 27<sup>th</sup>.

On motion of Councilor Lamb, duly seconded by Councilor Bona it was VOTED: to postpone to the meeting of August 26<sup>th</sup>.

**11,385** Communication submitted by Councilor Bona regarding a speed limit at Wheel Estates.

On motion of Councilor Bona, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Safety Committee and Traffic Commission and to postpone to the meeting of August 26<sup>th</sup>.

**11,386** Liaison reports for the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2014.

Councilor Bona stated he had no report for the McCann Regional Technical School Committee. Councilor Moran reported on the Hoosac Water Quality District. The plant continues to run efficiently and operational cost decreased this year. There is still a concern regarding slope stability near the plant which has been an issue for many years. Councilor Lamb reported on BART Charter School. BART graduated 13 this year and were all accepted to four year colleges. The school is renovating and expanding to include an auditorium. All this is being done through fund raising. He also stated that Councilor Merrigan will be joining the BART staff in the fall. Councilor Merrigan, liaison for the North Adams School Committee, reported that due to her job she has attend very few of the School Committee meetings. She did report that they are working on improving the website for the school system. Councilor Buddington reported on the North Adams Housing Authority. The Authority is at full occupancy and that turnaround time for apartments has been reduced. They will continue to upgrade the heating systems and are co-operating with the police to address drug related problems. Councilor Wilkinson presented a written report of the North Adams Planning Board in it he stated that the board had reviewed 17 new or expanding businesses, the board elected Michael Leary as chairman and Paul Hopkins as vice-chairman for the year. The board formally adopted the North Adams Vision 2030 Comprehensive Plan and approved the conversion of the Holy Family Church on State Road into four residential market rate apartments.

On motion of Councilor Moran, duly seconded by Councilor Bona it was VOTED: to accept the reports as presented.

**11,387** Committee assignment reports for the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2014.

On motion of Councilor Lamb, duly seconded by Councilor Bona it was VOTED: to file the paper.

**11,388** Communication submitted by Councilor Buddington regarding the Employee Handbook.

On motion of Councilor Moran, duly seconded by Councilor Lamb it was VOTED: to refer to the General Government Committee and postpone to the meeting of August 26<sup>th</sup>.

The President presented an application submitted by Edward LaCosse, 98-A Brayton Hill Terrace to drive taxi for City Cab.

On motion of Councilor Bona, duly seconded by Councilor Merrigan it was VOTED: to grant the license.

The President presented an application submitted by Michael LaCosse, Jr., 3 Myrtle St., Adams to drive taxi for City Cab.

On motion of Councilor Lamb, duly seconded by Councilor Merrigan it was VOTED: to grant the license.

The President called for anyone wishing to speak in Open Forum, Mark Trottier, 131 Woodlawn Avenue read a letter to the council stating it would be his last appearance at City Council meetings. Roger Urban, 677 Ashland St. reported that work at Hillside Cemetery is going very well. The Veterans circle is done and planting was done around the flag pole. Work will soon begin on the Brown Street corner.

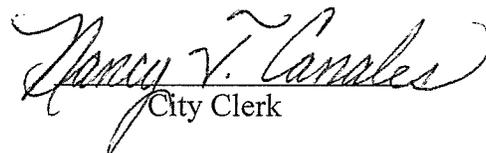
The President called for any Councilor's or Mayor's Concerns, Councilor Bona reminded everyone of the Beach Party on Eagle Street and the grand opening of Eric Rudd's Art Museum on Friday, July 11<sup>th</sup>. The rap-up for the Mayor's Challenge will be held at the Beach Party. Councilor Merrigan and others will be working at Hillside Cemetery Saturday July 12<sup>th</sup> from 9:00am to 12:00pm. She also announced she has accepted a position at the BART Charter School but will continue her involvement in the City. Councilor Lamb said that people need to be aware of the many sightings of black bears both during the day and at night. He urged people to remove their bird feeders as they attract bears. He also added that the bears are a danger to dogs and they should be on a leash when outside. Due to the fact that we are having very hot and humid weather and have had several power outages he suggested that people watch out for their neighbor's, especially the elderly.

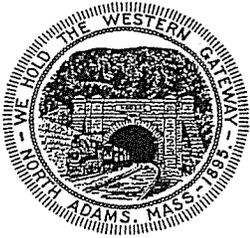
With no further business to come before the Council a motion to adjourn was in order.

VOTED: to adjourn at 7:55 p.m.

A True Record.

Attest,

  
City Clerk



# Office of the City Clerk City of North Adams

10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3015

City Clerk Marilyn Gomeau

## SPECIAL MEETING OF THE CITY COUNCIL July 15, 2014

### President Blackmer in the Chair

On Roll Call the following responded: Councilors Blackmer, Breen, Buddington, Bullett, Lamb, Moran, Wilkinson. Councilor Bona, Merrigan absent.

A moment of silent prayer was observed.  
The Pledge of Allegiance was recited.

**11,321-1** The President presented Mayor's communication #35 recommending year end transfers.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to file the communication.

**11,321-1** The President presented an Order transferring the sum of \$429,535.59 from General Government, Public Safety, Public Services, Unclassified and Retirement of Debt; to several accounts.

On motion of Councilor Bullett, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Blackmer, Breen, Buddington, Bullett, Lamb, Moran, Wilkinson. Nay none.

**11,389** The President presented an Order appropriating the sum of \$282,363.87 from the Sale of Land Account to Several Accounts.

On motion of Councilor Bullett, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Blackmer, Breen, Buddington, Bullett, Lamb, Moran, Wilkinson. Nay none.

**11,390** The President presented an Order appropriating the sum of \$1,714.24 from landfill Reserve Account to Department of Public Safety-Transfer Station.



# Office of the City Clerk

## City of North Adams

10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3015

City Clerk Marilyn Gomeau

### REGULAR MEETING OF THE CITY COUNCIL July 22, 2014

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

**COUNCILORS PRESENT:** Blackmer, Bona, Bullett, Lamb, Moran, Wilkinson, absent Councilor Breen, Buddington, Merrigan.

A moment of silent prayer was observed, Lorane Whitcomb, 28 year math teacher at Drury High School and Carol McCarron, long time substitute teacher in the North Adams School system. The Pledge of Allegiance was recited.

The President called for anyone wishing to speak in Open Forum, Maryann Benoit Albee, 16 Rand Street was concerned about the heroin epidemic in the City and the way needles are being discarded.

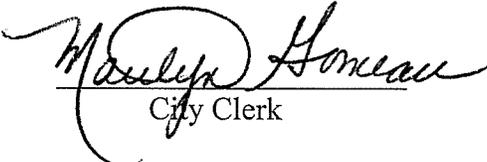
The President called for any Councilor's or Mayor's Concerns, Councilor Bona noted the Mason's on Church Street are doing a celebration of 100 years for A.C. Houghton, on Saturday August 2<sup>nd</sup> from 12:00 noon to 1:00pm. Councilor Lamb was hoping the Mayor would be present to give an update on the Community Development Block grant. Councilor Bona also made note that the DPW has a new hot box, which is used for patching small pothole in the City, which is a big savings to the City. Councilor Blackmer noted July 31<sup>st</sup> is Down Street Art and the crosswalks are going to be painted again, if anyone is interested in painting a crosswalk, please come on Thursday.

With no further business to come before the Council a motion to adjourn was in order.

VOTED: to adjourn at 7:36 p.m.

A True Record.

Attest,

  
City Clerk

## North Adams City Council

### General Government Committee Meeting Report

Meeting held July 29<sup>th</sup>, 2014 - City Council Chambers

Committee members present: Kate Merrigan, Nancy Bullet

Other present: fellow City Councilors Lisa Blackmer and Eric Buddington; Zachary Feury, intern in the Mayor's Office; members of the public and the media

Absent: Committee member Jenny Breen

Meeting called to order at 7:05pm.

Agenda item #1: Council Paper #11,382: Communication submitted by Councilor Buddington regarding a Right to Farm Community ordinance.

Councilor Buddington introduced the nature and purpose of the Right to Farm Ordinance, explaining that there are two elements of the ordinance worth noting:

- 1) A resolution stating that the city supports the right to agriculture as described by Massachusetts law
- 2) Someone selling land in North Adams must notify the buyer that this is a community in which farming might happen and they will need to tolerate it.

Discussion:

Much of the discussion focused on what exactly the ordinance is meant to do. Councilor Buddington described the ordinance as not having "teeth", but indicated that he had spoken with a resident who had challenges with a neighbor regarding the resident's agricultural practices; such an ordinance might prevent such disagreements. Councilor Buddington explained that the purpose of it is to affirm and make explicit existing rights.

There was some discussion about what the nature of "accepted agricultural practices is", a question which was introduced by Councilors Blackmer, Bullet, and Merrigan at various points in the conversation. Discussion included times of farming, noise levels, and types of animals an individual might have on their property. Mr. Feury, who has been researching these topics as part of his work in the Mayor's Office this summer and who himself is a former dairy farmer, offered some clarification regarding typical agricultural practice. Among his clarifications was the fact that a resident of North Adams must have at least two acres of land to be able to keep livestock. Councilor Blackmer introduced the question of whether the City's noise ordinance would conflict with an individual's right to farm (for example, if they were making noise that was within accepted agricultural practices but making it before 6am, which the noise ordinance prohibits). Councilor Merrigan pointed out that while these are interesting topics worth exploring, the proposed ordinance we are discussing tonight would make no changes to the rights people currently have for their land use, but rather affirm those rights at time of the sale of a property. It might be worth exploring those rights and uses at another meeting in the future.

Councilor Merrigan noted that she had spoken with Christine Girard at Steepleview Realty to get a sense of what realtors think of Right to Farm Ordinances and whether they present any barrier to sales. Twenty-two Berkshire County cities and towns have Right to Farm Ordinances and our area realtors are quite familiar with them. According to Councilor Merrigan, Ms. Girard indicated that Right to Farm Ordinances mainly represent "extra paperwork" for realtors but are not a barrier to sales. Councilor Buddington indicated that one of the differences between his proposed ordinance before us and the

templates and examples available in the state of Massachusetts is that his does not require realtors/sellers to file Right to Farm notices with an city department, which represents one less paperwork step for realtors/sellers.

Councilor Bullet introduced the question of whether it would make sense to clarify in this ordinance what accepted agricultural practices are as well as what the North Adams noise ordinance indicates regarding quiet hours. Councilor Buddington expressed concern about potentially and inadvertently contradicting agricultural rights as expressed in Massachusetts General Law. Additionally, he indicated that the definition of accepted agricultural practices (which is partially described in the proposed ordinance) is expanded upon in MGL Chapter 128, Section 1A; therefore it may not be necessary to go into detail in our ordinance since it indicates that it is defining farming and agricultural in accordance with MGL.

There was some discussion about the necessity of sections 4b, 4c, and 4d within the ordinance. Regarding section 4b, it was felt that it was not necessary to indicate the ways in which a seller should provide written notification to a buyer. Regarding sections 4c and 4d, we discussed that it was not necessary to include in an ordinance the directives to the City for enacting this new practice.

Upon motion made by Councilor Bullet and seconded by Councilor Merrigan, the Committee voted to recommend the ordinance to the full Council, amended to delete Section 4b, 4c, and 4d.

Agenda item #2: Council Paper #11,388: Communication submitted by Councilor Buddington regarding the Employee Handbook

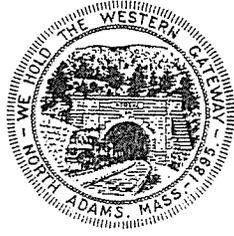
Councilor Merrigan, as Chair, expressed interest in continuing this agenda item to a future meeting when either Mayor Aclombright or Mike Canales could be present, as they have been working on the employee handbook.

Upon motion made by Councilor Bullet and seconded by Councilor Merrigan, it was voted to continue Council Paper #11,388.

Voted to adjourn the meeting at 7:50pm.

Respectfully submitted,

Kate Hanley Merrigan  
Chair, City Council General Government Committee



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

#36

To: North Adams City Council  
Re: Appointment of Election Officers

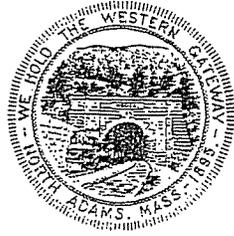
Dear Honorable Members:

Included in your packet is an order appointing Election Officers for the year beginning September 1, 2014.

I respectfully request confirmation as presented.

Sincerely,

Richard J. Alcombright  
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

North Adams City Council  
North Adams, Massachusetts 01247

Honorable Members;

I hereby appoint, subject to your confirmation, the following persons as Election Officers for the year beginning September 1, 2014.

**WARD 1**

Carol Colantuono, 124 Charlene Street      Warden  
Sheila Sprague, 369 Walnut Street      Warden

**Inspectors**

Susan Trottier, 112 Kemp Avenue  
Carolyn Cheesbro, 227 Franklin Street #6-B  
Angie Lora, 45 Furnace Street  
Marci Wright, 727 East Main Street  
Marcia Galli, 26 Yale Street  
Margaret Fortini, 237 Franklin Street

**WARD 2**

Ronald O'Brien, 29 Central Avenue      Warden  
Bruna Vivori, 21 Ivory Street      Warden  
Judy Noel, 43 Hathaway Street      Warden

**INSPECTORS**

Maureen Catelotti, 17 Cherry Street  
Elizabeth Pappas, 26 Elder Avenue  
Eileen Jacques, 41 Johnson Street  
Edward Morandi, 722 West Shaft Road  
Susan Walker, 37 Holbrook Street  
Linda Olson, 265 Wells Ave.

**WARD 3**

Marian Esposito, 137 Marion Avenue      Warden  
Judy McConnell, 80 Hathaway Street      Warden

**Inspectors**

Ann Whitney, 5 Whitman Street  
Madeline Cuccia, 8 Walnut Street  
Bernadette Eastman, 365 Walnut Street  
Karen Marino, 80 Autumn Drive  
Janet Lanoue, 45 Monroe Street  
Sue Superneau, 1 Milton Drive

**WARD 4**

Joan Wise, 46 Brickyard Court                      Warden  
Jane Bernard, 68 Autumn Drive                      Warden

**Inspectors**

Carol Morin, 16 Harding Avenue  
Elizabeth Ralston, 154 Bonair Avenue  
David Cardimino, 57 Folsom Street  
Diana Kawczak, 46 D Street  
Andrew Kawczak, 46 D Street  
Gloria Hiser, 55 Cady Street

**WARD 5**

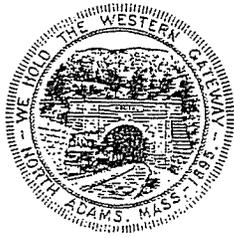
Catherine Scerbo, 460 Walker Street                      Warden  
Kathleen Carbone, 137 West Main Street                      Warden

**Inspectors**

Alan Horbal 458 East Main Street  
Edward Marino, 80 Autumn Drive  
Jane Bryce, 96 Harris Street  
Mary Jane DesMarais, 100 Oak Hill  
Elizabeth Milanesi, 27 Chesbro Avenue  
Sheri Collins, 40 Oak Hill

**SUB LIST**

Judy Grinnell, 821 Pattison Road  
Gail O'Brien, 29 Central Ave  
Laura Lee O'Neil, 88 North Street  
Carol Field, 62 Hathaway Street  
Susan Spooner, 66 Hathaway Street  
Justyna Carlson, 32 Cherry Street  
Gene Carlson, 32 Cherry Street  
Barbara Tassone, 329 Houghton Street  
Cindy Rougeau, 518 West Main Street  
Marilyn Truskowski, 55 Orchard Hill  
Barbara Dowling, 279 Franklin Street  
Marion Grillon, 315 East Main Street



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

#37

To: North Adams City Council  
Re: Appointment to the North Adams Housing Authority

Dear Honorable Councilors:

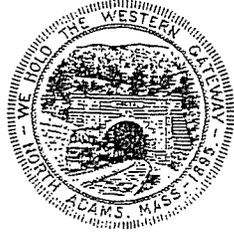
It is with great confidence that I recommend the re-appointment of Christopher Tremblay to the North Adams Housing Authority for a term to expire July 1, 2019.

Chris has served on the Authority coming into his second term, is currently its Chairman and brings a wealth of knowledge of and appreciation for public housing to this role.

I respectfully request confirmation.

Sincerely,

Richard J. Alcombright  
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

#38

To: North Adams City Council

Re: Appointment to the North Adams Housing Authority

Dear Honorable Councilors:

It is with great confidence that I recommend the re-appointment of James M. Neville to the North Adams Housing Authority for a term to expire July 1, 2019.

Matt has served on the Authority for many years and brings significant perspective to building infrastructure and capital projects.

I respectfully request confirmation.

Sincerely,

Richard J. Alcombright  
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

#39

To: North Adams City Council  
Re: Appointment to the MASS MOCA Commission

Dear Honorable Councilors:

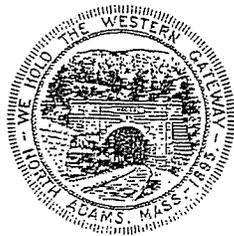
It is with great confidence that I recommend the re-appointment of Shirley Davis to the MASS MoCA Commission for a term to expire August 1, 2017.

Shirley has served on the Commission for many years and in this role has been instrumental in the development of commercial ventures on the MOCA campus.

I respectfully request confirmation.

Sincerely,

Richard J. Alcombright  
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

August 12, 2014

#40

To: North Adams City Council  
Re: Appointment to the MASS MoCA Commission

Dear Honorable Councilors:

It is with great confidence that I recommend the re-appointment of Robert Burdick to the MASS MoCA Commission for a term to expire August 1, 2017.

Bob has served on the Commission coming into his second term and brings solid business and financial experience to this appointment.

I respectfully request confirmation.

Sincerely,

Richard J. Alcombright  
Mayor



# City of North Adams

In City Council

August 12, 2014

Ordered:

That the City Clerk is hereby directed to cause to be published and posted as provided in Section 63 of Chapter 54 of the General Laws, the following notice of election:

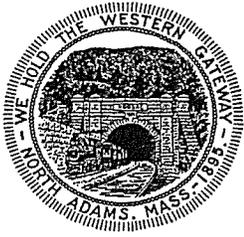
**STATE PRIMARY ELECTION**  
**September 9, 2014**  
**City of North Adams, Massachusetts**

In accordance with the provisions of Chapter 54 of the General Laws, notice is hereby given that meetings of the citizens of North Adams, qualified to vote, will be held on Tuesday, ninth day of September, 2014 in the following places, namely:

- Ward 1. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 2. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 3. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 4. Greylock School, Upper Phelps Avenue Entrance
- Ward 5. Saint Elizabeth's Parish Center, St. Anthony Drive

The polls will be opened at 7:00 o'clock in the forenoon, and closed at 8:00 o'clock in the afternoon; and all voters will, in the several wards in which they are entitled to vote, between said hours, give in their votes for:

**SENATOR IN CONGRESS**  
**GOVERNOR**  
**LIEUTENANT GOVERNOR**  
**ATTORNEY GENERAL**  
**SECRETARY OF STATE**  
**TREASURER**  
**AUDITOR**  
**REPRESENTATIVE IN CONGRESS**  
**COUNCILOR**  
**SENATOR IN GENERAL COURT**  
**REPRESENTATIVE IN GENERAL COURT**  
**DISTRICT ATTORNEY**  
**REGISTER OF PROBATE**



# Office of the City Council

## City of North Adams

10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3015

August 12, 2014

Dear Fellow Councilors,

With the forward movement of the Vision 2030 plan for North Adams, an added focus on preserving historically significant structures in the City, and an increased level of concern by community members about specific structures in our community potentially being demolished, I would like to propose a Local Historic District Study here in the City of North Adams, with a goal of preserving significant architecture and districts of the City.

Current City ordinance Chapter 3A, section 7, indicates that the Historical Commission may recommend to the City Council that buildings be protected through "the provisions of Massachusetts General Laws, Chapter 40C, the Historic Districts Act." Currently, however, the composition of the standing Historical Commission does not fulfill the requirements of MGL Chapter 40C. As such, the City would need to approve the creation of a Local Historic District Committee to enact such study as necessary to be in line with state law.

Massachusetts General Law (M.G.L.) Chapter 40C, Section 4 notes that "The study committee shall consist of not less than three nor more than seven members appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen, including one member from two nominees submitted by the local historical society or, in the absence thereof, by the Society for the Preservation of New England Antiquities, one member from two nominees submitted by the chapter of the American Institute of Architects covering the area, and one member from two nominees of the board of realtors, if any, covering the area."

Currently the City of North Adams has no formally established Local Historic Districts whereby preservation is supported by law. The running of such a study would not only help to establish protected districts and properties, but aligns directly with the Vision 2030 Draft goals HP 1.1: Maintain and expand historic inventory and listing activity, HP 1.1: Integrate the Historical Commission into larger city government functions and decision-making, and 2.1: Implement municipal bylaws and policies to protect historic resources from irrevocable harm. Additionally, this process can help to address Goals HP 3.1: Promote and facilitate

the sensitive and robust reuse of historic residential, commercial and industrial properties throughout the city, and HP 3.3: Support preservation and robust use of local landmarks and institutional uses. (this draft can be found on the City's website)

In order to enact any 40C protected structures or areas within North Adams, the Commission must first initiate a Local Historic District Study for a given district or districts. This is a formal request for the following to occur in the hands of City Council

1. Research and potentially enact the creation of a Local Historic Districts Committee that adequately fulfills the requirement of M.G.L. Chapter 40C to act as said Local Historic District Study body.
2. To take action and move forward with such study here in North Adams once said committee has been formed and filled.
3. Conduct a public hearing in the future related to the results of the Local Historic District Study as required by M.G.L. Chapter 40C.

For your convenience, I have included other research that I've compiled to this point which may be of use in moving forward and developing an increased understanding of what I have brought before you.

Thank you for your time and consideration

Sincerely,  
Councilor Lamb

**Summary of Information in favor of a Local Historic District Commission**  
**City of North Adams**

A Local Historic District Commission (LHDC) is an ad hoc and temporary commission assigned by a municipality with the goal of facilitating the designation of Local Historic Districts (LHDs) within said municipality. This specific commission, designed under the provisions of the Massachusetts General Law Chapter 40C, consists of 3-7 members and shall make investigations and reports on the historic significance of buildings, structures, features, sites or surroundings included in such proposed local historic district or districts as the committee may recommend, and shall submit a final report or reports with its recommendations after a public hearing, together with a map of proposed district or districts and a draft of any proposed city ordinance to the City Council for formal acceptance.

LHDs provide a local ordinance based protection of locally historic buildings, that are otherwise not protected by state or federally recognized historic structures and areas (state and federal designations carry little in the way of prevention of demolition and/or significant exterior alteration). Communities may establish their own specific nuances to their LHD ordinances, but with a general goal of preservation. Some communities, such as Los Angeles, have actively worked to revitalize their historic districts through the additional utilization of Adaptive Reuse Ordinances, which provide steam-lined policy structures and pipelines in order to promote the reuse and restoration of local architecture while making them usable for contemporary needs.

Another designation used by some communities are Neighborhood Conservation Districts (NCDs). NCDs are primarily used for zoning, whereby historically residential districts may be converted to commercial zoning, or vice versa, in an attempt to make the properties more attractive to investment. In general NCDs carry less ordinance based support and fewer locally specific nuances than an LHD would provide in the Commonwealth. It is actually possible for a community to have both NCDs and LHDs in place, as does the City of Cambridge (<http://www2.cambridgema.gov/historic/districts.html>). Because both NCDs and LHDs are developed and proposed by temporary commissions however, not all municipalities with these designated districts maintain commissions in a long-term capacity.

**Please note:** An LHDC is different from a Historic Commission, which the City of North Adams maintains currently. An LHDC requires specific memberships per Massachusetts General Law included in the composition, this includes members drawn from: Local Historic Society (historic commission), Board of Realtors, and American Institute of Architects. Historic Commissions do not require the same membership, and as such are different by nature. More information as to the composition and creation of an LHDC can be found here (<http://www.sec.state.ma.us/mhc/mhcpdf/establishinglocalhistoricdistricts.pdf>). It is integral that communities abide by these guidelines, as if composition varies, it is possible that district designation can be overridden in a legal context by individuals and/or investors wishing to demolish and/or significantly alter the historic appearance of structures in a given district area.

A number of municipalities within the Commonwealth have actively facilitated the appointment of LHDCs and development of LHDs in their communities, resulting in preserved districts and stronger ordinance around protection of historically significant structures. Several are here listed along with

links to their community websites. Again, it should be reiterated that both an LHDC and a Historic Commission exist simultaneously in the communities that have taken this action, however the LHDC is a temporary body developed when necessary to preserve locally significant architecture and areas.

### **Municipalities 20,000 and under**

Lincoln (8,056) - <http://www.lincolntown.org/index.aspx?NID=141>

Brewster (10,094) - <http://www.town.brewster.ma.us/committees-mainmenu-29/okh-historical-district-mainmenu-85>

Nantucket (10,298) - [http://www.nantucket-ma.gov/pages/nantucketma\\_histdist/index](http://www.nantucket-ma.gov/pages/nantucketma_histdist/index)

Dennis (15,973) - [http://www.town.dennis.ma.us/Pages/DennisMA\\_Historic/oldkings](http://www.town.dennis.ma.us/Pages/DennisMA_Historic/oldkings)

Concord (16,993) - [http://www.concordma.gov/Pages/ConcordMA\\_HDC/index](http://www.concordma.gov/Pages/ConcordMA_HDC/index)

Greenfield (18,168) -

[http://www.townofgreenfield.org/pages/greenfieldma\\_bcomm/Historical/HC\\_Duties.pdf](http://www.townofgreenfield.org/pages/greenfieldma_bcomm/Historical/HC_Duties.pdf)

### **Municipalities 20,001 to 50,000**

Sandwich (20,136) - <http://www.sandwichmass.org/DepartmentDetail.asp?ID=60>

Falmouth (32,660) - <http://www.falmouthmass.us/depart.php?depkey=hdc>

Amherst (34,874) - <http://amherstma.gov/index.aspx?NID=1106>

### **Municipalities 50,001 and over**

Framingham (68,318) - <http://www.framinghamma.gov/index.aspx?NID=852>

As you can see, with just this sampling there are a number of communities similar in size and composition to North Adams that have gone through the process successfully within Massachusetts. We have a number of areas that, without some serious attention, could be lost to development and/or blight. This includes Monument Square-Eagle Street, the area around Saint Francis Church, Blackinton Mills area, and the Church Street – Cady Hill district to name a few. Some of these areas are already recognized as historic districts in the city, but not as Local Historic Districts; as North Adams has never gone through this process.

As the city works to reach it's goals for Vision 2030, taking this step now to form an LHDC and eventual LHDs, would help to ensure responsible forward progress within North Adams by preserving our core historic architecture. In coordination with a Adaptive Reuse Ordinance potentially, which I am hoping to also research further, we could not only preserve the facades and historical architecture, but promote these spaces as prime locations for investment by both local and outside parties. This synergy would keep the "look" and heritage of North Adams History alive, but would make the interior of spaces adaptable to contemporary needs and utilitarian for generations to come.

Note: Complete upper portion of form and forward to local fire department.  
Do not make application to Department of Fire Services.



# Commonwealth of Massachusetts

Department of Fire Services — Office of the State Fire Marshal



City or Town North Adams Date 7-23-2013

## APPLICATION FOR LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Location of land 464 Curran Hwy. Nearest cross street State Street  
(Street & Number)

Owner of land DuFour Inc. Address 464 Curran Highway

Number of buildings or other structures to which this application applies 1

Occupancy or use of such buildings BUS Terminal

Total capacity of containers in gallons: — Aboveground 10,000 gallons Underground \_\_\_\_\_

Kind of fluid to be stored in containers: — Diesel Fuel

Approved  Disapproved

[Signature]  
(Head of Fire Dept.)

[Signature]  
(Signature of Applicant)

7/23/13  
(Date)

464 Curran Hwy - North Adams  
(Address)



# Commonwealth of Massachusetts

Department of Fire Services — Office of the State Fire Marshal



City or Town \_\_\_\_\_ Date \_\_\_\_\_

## LICENSE

In accordance with the provisions of Chapter 148 of the General Laws, a license is hereby granted to use the land herein described for the lawful use of the building... or other structure... which is/are or is/are to be situated thereon, and as described on the plot plan filed with the application for this license.

Location of land \_\_\_\_\_ Nearest cross street \_\_\_\_\_  
(Street & Number)

Owner of land \_\_\_\_\_ Address \_\_\_\_\_

Number of buildings or other structures to which this application applies \_\_\_\_\_

Occupancy or use of such buildings \_\_\_\_\_

Total capacity of containers in gallons: — Aboveground \_\_\_\_\_ Underground \_\_\_\_\_

Kind of fluid to be stored in containers: — \_\_\_\_\_

Restrictions - If any: \_\_\_\_\_

\_\_\_\_\_  
Signature of licensing authority

\_\_\_\_\_  
Title

THIS LICENSE OR A PHOTOSTATIC OR CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED IN A PROTECTED PLACE ON THE LAND FOR WHICH IT IS GRANTED.

COMMONWEALTH OF MASSACHUSETTS  
City Of North Adams

5.00 pd.

FEE\$ 10.00

To The Honorable City Council:

I, ERIK SHIELDS, hereby make application to be granted a  
Name

LICENSE TO DRIVE A TAXICAB FOR CITY CAB  
Employer's name

Height 6 ft 4 in Weight 190 lbs Color of Hair Brown Color of Eyes HAZE

Date of Birth 09/23/84 Birthplace PITTSFIELD Gender M Citizen Y

I hold a Massachusetts Driver's # \_\_\_\_\_ and have held this license for how long 10<sup>#</sup> yrs.

My license has  has not \_\_\_\_\_ been suspended or revoked in Massachusetts or any other jurisdiction.

If yes explain OUI 2005, Reinstated 2012

I have \_\_\_\_\_ have not  been convicted of a felony. If yes explain: \_\_\_\_\_

Are you currently on any medication that would hinder your driving ability yes \_\_\_\_\_, no .

Do you currently have any open criminal court cases, yes \_\_\_\_\_, no . Explain on page 2.

I HEREBY CERTIFY THAT, IF GRANTED THIS LICENSE, I WILL STRICTLY CONFORM AND ADHERE TO THE LAWS OF THE COMMONWEALTH, THE ORDINANCES OF THE CITY AND SUCH RULES AND REGULATIONS AS THE CITY COUNCIL MAY ESTABLISH.

I do solemnly, sincerely and truly affirm the foregoing application to be true to the best of my knowledge and belief and do so under the pains and penalties of perjury.

[Signature]  
Signature  
419 Church st.  
Address  
NORTH ADAMS  
City/Town

.....  
**TO BE COMPLETED BY EMPLOYER**

THIS IS TO CERTIFY THAT:

If granted a TAXI DRIVER'S LICENSE

Erik Shields  
Name of applicant

WILL DRIVE FOR ME.....

[Signature]  
TAXI OPERATOR'S SIGNATURE

.....  
**TO BE COMPLETED BY THE POLICE DEPT**

THE ABOVE APPLICATION IS HEREBY

APPROVED  DISAPPROVED \_\_\_\_\_

This 29 day of July, 2014

**NORTH ADAMS POLICE DEPARTMENT**  
**11 SUMNER STREET**  
**NORTH ADAMS, MA 01247**  
POLICE DEPARTMENT

FEE\$ 5.00 temp.  
10.00 paid

To The Honorable City Council:

I, Brandon Hurst, hereby make application to be granted a  
Name  
**LICENSE TO DRIVE A TAXICAB FOR** City Cab  
Employer's name  
Height 5 ft 9 in Weight 160 lbs Color of Hair Black Color of Eyes Brown  
Date of Birth 5/13/89 Birthplace Holyoke MA Gender Male Citizen Yes

I hold a Massachusetts Driver's # \_\_\_\_\_ and have held this license for how long seven years

My license has \_\_\_\_\_ has not  been suspended or revoked in Massachusetts or any other jurisdiction.

If yes explain \_\_\_\_\_

I have \_\_\_\_\_ have not  been convicted of a felony. If yes explain: \_\_\_\_\_

Are you currently on any medication that would hinder your driving ability yes \_\_\_\_\_, no .

Do you currently have any open criminal court cases, yes \_\_\_\_\_, no . Explain on page 2.

**I HEREBY CERTIFY THAT, IF GRANTED THIS LICENSE, I WILL STRICTLY CONFORM AND ADHERE TO THE LAWS OF THE COMMONWEALTH, THE ORDINANCES OF THE CITY AND SUCH RULES AND REGULATIONS AS THE CITY COUNCIL MAY ESTABLISH.**

I do solemnly, sincerely and truly affirm the foregoing application to be true to the best of my knowledge and belief and do so under the pains and penalties of perjury.

B. Hurst  
Signature  
25 Arnold Pl. Apt. B  
Address  
North Adams, MA  
City/Town

**TO BE COMPLETED BY EMPLOYER**

**TO BE COMPLETED BY THE POLICE DEPT**

**THIS IS TO CERTIFY THAT:**

**THE ABOVE APPLICATION IS HEREBY**

If granted a TAXI DRIVER'S LICENSE

APPROVED  DISAPPROVED \_\_\_\_\_

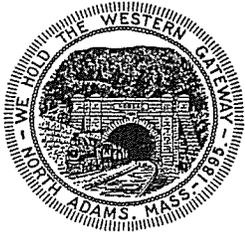
Brandon Hurst  
Name of applicant  
WILL DRIVE FOR ME.....  
[Signature]

This 30 day of July, 2014

TAXI OPERATOR'S SIGNATURE

**NORTH ADAMS POLICE DEPARTMENT  
11 SUMNER STREET  
NORTH ADAMS, MA 01247**

POLICE DEPARTMENT



# Office of the City Council

## City of North Adams

10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3015

### **PUBLIC SAFETY COMMITTEE**

The Public Safety Committee of the North Adams City Council will meet on Tuesday, August 19, 2014 at 5:30pm in City Council Chambers.

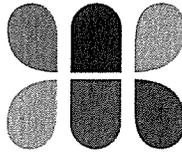
### **AGENDA**

Council Paper #11,377 Special Legislation for Steeple City Liquors/V&V

Council Paper #9625-6 regarding Litter

Keith Bona  
Chariman

cc City Councilors  
Mayor  
Whitney's Package  
Ed's Variety  
Licensing Board



HAMPSHIRE COUNCIL  
OF GOVERNMENTS

July 25, 2014

City Council  
City of North Adams  
City Offices  
10 Main Street  
North Adams, MA 01247

Dear Councilors,

Like many of our colleagues in Berkshire, Franklin, and Hampden counties, the Hampshire Council of Governments (Council) is a strong advocate for western Massachusetts offering programs that provide green energy, save taxpayer money, keep investments local, and contribute to a healthy, sustainable environment that benefits the entire region. The Council has reached out to the legislative delegation representing western Mass to coordinate a Fall Regional Legislative Summit in November after the elections to work with communities to create a regional legislative agenda. The program focus will be on rural issues, sustainable economic development, tourism, and other topics we can identify as being particularly relevant to western Mass.

We hope that you will take this opportunity to join with us to create a comprehensive and vigorous regional legislative agenda. We will work to keep you informed as the summit plans come together.

Thank you; we look forward to seeing you there.

Respectfully,

William R. Barnett, Chairman  
Hampshire Council of Governments

Davio A. Danielson, Chairman  
HCOG Legislative, Charter & Code Committee