



Commonwealth of Massachusetts  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

April 6, 2022

The Honorable Nicole LaChapelle  
Mayor, City of Easthampton  
50 Payson Avenue  
Easthampton, MA 01027

Re: Easthampton Smart Growth Zoning Overlay District (SGZD) Amendment – Letter of Eligibility

Dear Mayor LaChapelle:

I am writing with regard to the City of Easthampton (City) application to amend its existing 40R SGZD District, primarily to add a new Highway Corridor Mixed-Use Sub-district running along Northampton Street between Groveland Street and Florence Road / Highland Avenue. The proposed amendment would also add Parcel 52-82 (a.k.a. 4 Park Street) to the SGZD's existing Downtown Mixed-Use Sub-district and further update the text of the city's 40R ordinance. I am pleased to inform you that the Department of Housing & Community Development (Department/DHCD) has completed its review and, subject to the conditions outlined below, finds the proposed amendment in compliance with all applicable statutory and regulatory requirements and therefore hereby eligible for adoption pursuant to Chapter 40R and 760 CMR 59.00.

As shown in the City's application, as revised, in aggregate the proposed amendments would allow for an estimated 663 units by right (Future Zoned Units), approximately 645 of which would be considered newly-zoned by-right units (i.e., in excess of the nine existing / existing-zoned units), and 453 of which are associated with Developable Land and would qualify as Incentive Units. Together with the 423 Incentive Units associated with the existing 40R District, the proposed amendment would bring the total number of Incentive Units to 876 units. This increase would place the SGZD into a higher Zoning Incentive Payment category (Districts with 501 or more Incentive Units), qualifying the city for a \$250,000 Zoning Incentive Payment increase that would bring the total Zoning Incentive Payment to \$600,000 (\$350,000 already received plus the \$250,000 increase).

This Letter of Eligibility is issued pursuant to 760 CMR 59.05 and updates, supplements, and hereby incorporates, as applicable, the Department's prior Letter of Eligibility, dated July 24, 2009, and prior Letter of Approval, dated June 23, 2010. This Preliminary Determination of Eligibility is further subject to the following standard conditions:

1. Unless otherwise explicitly provided for in writing by the Department, final approval by DHCD is subject to the City's adoption of the proposed Smart Growth Zoning amendment as reviewed and modified by DHCD and forwarded to the city on March 10, 2022 (attached), or as otherwise subsequently, expressly approved in writing by the Department. This Letter of Eligibility expires three (3) years from the date of this letter. After adoption of the proposed text and boundary amendment, the City must submit proof of adoption to DHCD. Proof of adoption requires the submission of the following information:

a) a City-Clerk certified copy of the amended Smart Growth Zoning ordinance and map adopted by the City Council;

b) evidence that the City Clerk has submitted a copy of the adopted amendment to the office of the Attorney General;

c) a certification by the City Clerk that the amended zoning and zoning map have been published and posted pursuant to applicable law; and

d) if there were any changes to the proposed amendment between this preliminary determination of eligibility and adoption by the City Council, an annotated version of the altered amendment to the zoning and/or map, clearly identifying all changes.

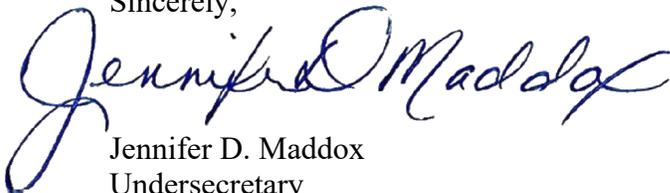
2. If there are substantial changes to the proposed amendment, DHCD may treat such submission as a new application and will notify the City of its decision to do so in writing. DHCD must confirm its final approval within 60 days of receipt of such submission provided the application satisfies all the approval criteria set forth in 760 CMR 59.04(1).

3. As required for the existing District's 482 Future Zoned Units, there can be no local rule, regulation, ordinance or agreement that, after final approval of the proposed amendment, would prevent the additional 663 Future Zoned from being developed under the Smart Growth Zoning. Similarly, in order to ensure eligibility for Density Bonus Payments, the City is advised to obtain DHCD's prior written approval of any agreement that regulates the development of the proposed Future Zoned Units in a manner that may be inconsistent with the required allowances for as of right development under 40R.

4. Prior to implementation, the Plan Approval Authority (PAA) must obtain DHCD's written approval of any new or amended local rules, regulations and guidelines that apply to the PAA's Plan Approval of a Project. Such approved rules, regulations and guidelines must be subsequently filed with the City Clerk.

We commend the City in this initiative to expand and update its SGZD. If you have any associated questions, do not hesitate to contact Bill Reyelt at 617.564.3105 or [william.reyelt@mass.gov](mailto:william.reyelt@mass.gov).

Sincerely,

A handwritten signature in blue ink that reads "Jennifer D. Maddox". The signature is fluid and cursive, with the first letter of each name being significantly larger and more stylized.

Jennifer D. Maddox  
Undersecretary

cc: Jeffrey Bagg, City Planner, City of Easthampton