

CITY OF PITTSFIELD



HOUSING DEVELOPMENT INCENTIVE PROGRAM

HDIP ZONE AND PLAN APPLICATION

**PREPARED BY:
PITTSFIELD DEPARTMENT OF COMMUNITY
DEVELOPMENT
June 2012**

COVER SHEET

- Applicant Municipality: City of Pittsfield
- Contact Person for Application and HD Zone Plan:

Deanna L. Ruffer
Director, Pittsfield Department of Community Development
70 Allen Street, Room 205
Pittsfield, MA 01201
(413) 499-9368 – tel., (413) 395-0152 – fax
druffer@pittsfieldch.com

- Authorized Officers Designated to Execute HD Tax Increment Exemption Agreements:

The Honorable Daniel L. Bianchi
Mayor, City of Pittsfield
70 Allen Street
Pittsfield, MA 01201
(413) 499-9321 - tel., (413) 442-8043 – fax
dbianchi@pittsfieldch.com

Kevin J. Sherman
City Council President
70 Allen Street
Pittsfield, MA 01201
ksherman@pittsfieldch.com

By the signature below, I certify that an area that the proposed Application for Housing Development Zone Designation meets the requirements of 760 CMR 66.00 and was approved by the Pittsfield City Council on June 26, 2012.



Daniel L. Bianchi
Mayor, City of Pittsfield

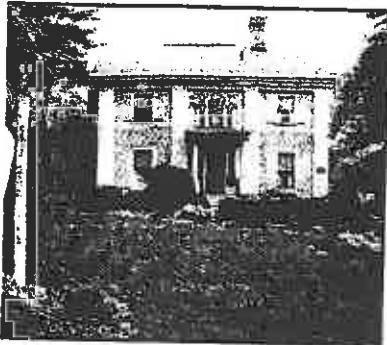
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EVIDENCE OF PUBLIC HEARING – SECTION 66.03(2)

The proposed Housing Development Zone (HD Zone) and Housing Development Zone Plan (HD Zone Plan) was put forth before the Pittsfield City Council, consistent with the regulations of the Housing Development Incentive Program (HDIP), at its May 22, 2012 meeting. The City Council referred the agenda item to a joint meeting of the Council's Committee on Community and Economic Development and the Finance Committee in order to hold the required public hearing. The public hearing was held on May 31, 2012. Attached are copies of the required newspaper notices which were published in The Berkshire Eagle in each of two successive weeks, the last publication being at least three days prior to the public hearing. The Council Committee referred the proposed HD Zone and the proposed HD Zone Plan as well as orders authorizing the approval of two tax increment exemption agreements back to the full City Council with a recommendation to approve all orders. Attached is a copy of the minutes of the public hearing and the joint committee meeting.

been bed-and-breakfast since 1950s



The White Horse Inn on South Street, the last bed-and-breakfast operating in Pittsfield, is up for sale.

Scott Stafford
Berkshire Eagle Staff

The loss or the potential loss of bed-and-breakfasts in Pittsfield should have little effect on the tourism industry, according to Lauri Klefos, president and CEO of the Berkshire Visitors Bureau.

She noted that there are still plenty of B&Bs and other types of hospitality offerings throughout much of Berkshire County, many of them within a few minutes of Pittsfield.

To reach Scott Stafford: ssstafford@berkshireeagle.com, or (413) 498-6241.
On Twitter: @E_SStafford

Recently completed and landed a house in Houston, where he now resides, John McGovern. In this summer operation run- the 2012 tourist will return to seek work in the

for a queen room. Off-season prices are \$125 and \$110. "We can keep it going through next winter without too much trouble, but by next summer, worse comes to worse, we might have to close it down," McGovern said. "We can't keep doing this forever."

Gary's help, running the tourist not be practical. ner would be without all hands loven said.

John, 65, and bought a condo h plans to move inn has sold.

ng to find some- something differ- their lives, kind did," McGovern

style is wonderful, people part of it."

summer, the charges \$240 per room, and \$220

HunterDouglas
Call or stop and ask Colleen about Energy Efficient Choices!

"She tells me all the time I'm so happy. She loves being home with us."

Laina cares for her 91-year-old mother, diagnosed with dementia, at home. Laina was able to quit her job and take on the role of full-time caregiver, thanks to the professional and financial support of Caregiver Homes™.

CAREGIVER HOMES

Caregiver Homes helps elders and individuals with disabilities enjoy a high quality of life at home.

- Pays & trains full-time caregiver
- Provides professional support
- Provides transportation and other services
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For more information, call 866.797.2333 or visit our website. WWW.CAREGIVERHOMES.COM

Public Notices

CITATION GIVING NOTICE OF PETITION FOR APPOINTMENT OF GUARDIAN FOR INCAPACITATED PERSON PURSUANT TO G.L. c. 190B, Section 5-304

Docket No. BE12P027Q2D

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court
Berkshire Probate and Family Court
44 Bank Row
Pittsfield, MA 01201

In the matter of **Sky Star Mason**
RESPONDENT Alleged Incapacitated Person
Of Lenox, MA

To the named Respondent and all other interested persons, a petition has been filed by Dept. of Children & Families in the above captioned matter alleging that Sky Star Mason is in need of a Guardian and requesting the Barbara Jellet (or some other suitable person) be appointed as Guardian with the authority to treat Respondent with antipsychotic medications in accordance with the treatment plan; to serve without Surety on their bond.

The petition asks the court to determine that the Respondent is incapacitated, that the appointment of a Guardian is necessary, and that the proposed Guardian is appropriate. The petition is to file with this court and may contain a request for certain specific authority.

You have the right to object to this proceeding. If you wish to do so, you or your attorney must file a written appearance at this court on or before 10:00 AM on the return date of 06/31/2012. This day is not a hearing date, but a deadline date by which you have to file the written appearance. If you object to the petition, if you fail to file the written appearance by the return date, action may be taken in this matter without further notice to you. In addition to filing the written appearance, you or your attorney must file a written affidavit stating the specific facts and grounds of your objection within 30 days after the return date.

FURTHER NOTICE

A Status Conference has been scheduled for June 1, 2012 at 2:00 PM and a hearing on the petition has been scheduled for June 15, 2012 at 2:00 PM., 44 Bank Row, Pittsfield, MA 01201, to be attended by the respondent, her counsel, the petitioner and other interested persons who file appearances herein.

IMPORTANT NOTICE

The outcome of this proceeding may limit or completely take away the above-named person's right to make decisions about personal affairs or financial affairs or both. The above-named person has the right to seek for a lawyer. Anyone may make this request on behalf of the above-named person. If the above-named person cannot afford a lawyer, one may be appointed at State expense.

WITNESS, Hon. RICHARD A. SIMONS
First Justice of this Court.
Date: May 8, 2012

FRANCIS B. MARINARO
Register of Probate

05/17/12

NOTICE OF PUBLIC HEARING

The City of Pittsfield hereby gives notice that, in accordance with the requirements of 780 CMR 66.00, a public hearing will be held on Thursday, May 31, 2012 at 7:30pm in the City Council Chambers, City Hall, 70 Allen Street to consider the adoption of a Housing Development Zone (HD Zone) and Housing Development Zone Plan (HD Plan) according to the Commonwealth's Housing Development Incentive Program. In order to encourage the creation of market rate housing.

The City will be considering the creation and adoption of a Housing Development Zone utilizing almost the same footprint as the City's existing Downtown Arts Overlay District. At the same time, the City will also be considering the adoption of a Housing Development Zone Plan which will describe how the adoption of the Housing Development Zone will increase residential growth, expand housing diversity, support economic development, and promote neighborhood stabilization in the HD Zone.

The purpose of the hearing is to take testimony and public comment on whether the HD Zone and HD Plan should be approved by the City Council. If approved the plan would allow the Mayor, upon ap-

Public Notices

proved by the City Council, to execute tax incentive exemption agreements that exempt developers from the payment of certain real estate taxes which would otherwise be owed. Copies of the HD Zone and HD Plan may be reviewed at the Department of Community Development in City Hall, 70 Allen Street, Room 205, during normal business hours.

05/17/12, 05/24/12

TOWN OF HANCOCK CONSERVATION COMMISSION NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Conservation Commission on Monday, May 21, 2012 at 7:30 PM at the Hancock Town Hall. The purpose of the Hearing will be to review a Request for Determination submitted by Metastats Deen for property located at 2487 Hancock Road. The proposed project involves installation of a foot bridge crossing the stream.

Respectfully submitted by:
Rick Eble
Interim Chair
Hancock Conservation Commission

05/17/12

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

BERKSHIRE Division
Docket No. BE12C0027CA

In the Matter of
Justin Allen Mneimneh
of Pittsfield
in the County of BERKSHIRE

NOTICE OF PETITION FOR CHANGE OF NAME

To all persons interested in a petition described:

A petition has been presented by Justin Allen Mneimneh of Pittsfield in the County of BERKSHIRE praying that he be allowed to change his name as follows:

JUSTIN ALLEN MNEIMNEH
to
JUSTIN ALLEN

IF YOU DESIRE TO OBJECT THERETO, YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT 44 BANK ROW, PITTSFIELD, MASSACHUSETTS 01201 ON OR BEFORE TEN O'CLOCK IN THE FORENOON (10:00AM) ON June 11, 2012.

WITNESS, Hon. RICHARD A. SIMONS,
ESQUIRE, First Justice of said Court at
PITTSFIELD, this day, May 11, 2012.

Francis B. Marinaro
Register of Probate

05/17/12

PUBLIC NOTICE

On April 23, 2012, an application was filed with the FCC in Washington, DC, for consent to assignment of the construction permit for WJNF, 91.7 MHz, Dalton, Massachusetts, to Horizon Christian Fellowship. The officers and directors of Calvary Chapel of the Berkshires are Donald Roach, Amira Roach, and Jason Corbett. The officers and directors of Horizon Christian Fellowship are George Small, Norton Smith, Donald McGrath and Jimmie Monroe. A copy of the application, amendments and related materials are available for public inspection at the Berkshire Athenaeum, East Street, Pittsfield, Massachusetts.

5/8, 5/10, 5/15 & 5/17/12

Town of Lee Conservation Commission Public Hearing

In accordance with General Laws Chapter 131, Section 40, notice is hereby given that a public hearing of the Lee Conservation Commission will be held in the Town Hall, Main Street, Town of Lee at 7:00 PM, June 4, 2012, on the Request for Determination by the Berkshire Gas Company, for the installation of a 2" plastic gas main in the Town of Lee's public right of way north of Stockbridge Road Willow Brook bridge.

The public is welcomed and encouraged to attend.

Kathy Arment, Chair
Lee Conservation Commission

05/17/12

Public Notices

Commonwealth of Massachusetts The Trial Court Probate and Family Court

INFORMAL PROBATE PUBLICATION NOTICE

Docket No. BE12P0278EA

Estate of: Gordon Norman Oakes Also Known As: Gordon N. Oakes, Sr. Date of Death: April 13, 2012

Berkshire Probate & Family Court 44 Bank Row Pittsfield, MA 01201 (413) 442-6941

To all persons interested in the above captioned estate, by Petition of Petitioner Gordon N. Oakes, Jr. of South Deerfield MA a Will has been admitted to informal probate. Gordon N. Oakes, Jr. of South Deerfield MA has been informally appointed as the Personal Representative of the estate to serve without surety on the bond.

The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representatives appointed under informal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner.

Allison, Angler, Bartmon, Elkins & Fernald, LLP 69 South Pleasant Street Amherst, MA 01002 413-253-9700

05/24/12

NOTICE OF PUBLIC HEARING

The City of Pittsfield hereby gives notice that, in accordance with the requirements of 780 CMR 86.00, a public hearing will be held on Thursday, May 31, 2012 at 7:30pm in the City Council Chambers, City Hall, 70 Allen Street to consider the adoption of a Housing Development Zone (HD Zone) and Housing Development Zone Plan (HD Plan) according to the Commonwealth's Housing Development Incentive Program in order to encourage the creation of market rate housing.

The City will be considering the creation and adoption of a Housing Development Zone utilizing almost the same footprint as the City's existing Downtown Arts Overlay District. At the same time, the City will also be considering the adoption of a Housing Development Zone Plan which will describe how the adoption of the Housing Development Zone will increase residential growth, expand housing diversity, support economic development, and promote neighborhood stabilization in the HD Zone.

The purpose of the hearing is to take testimony and public comment on whether the HD Zone and HD Plan should be ap-

Public Notices

proved by the City Council. If approved the plan would allow the Mayor, upon approval by the City Council, to execute tax incentive exemption agreements that exempt developers from the payment of certain real estate taxes which would otherwise be owed. Copies of the HD Zone and HD Plan may be reviewed at the Department of Community Development in City Hall, 70 Allen Street, Room 205, during normal business hours.

05/17/12, 05/24/12

CITY OF PITTSFIELD BOARD OF ASSESSORS

The Pittsfield Board of Assessors has sent out final notice to all Commercial, Industrial and Apartment property owners. The submission of the Fiscal Year 2013 Income and Expense forms are due by May 31, 2012. Massachusetts General Laws, Chapter 59, Section 2A requires the Assessors to determine the fair cash valuation of such real property for the purpose of taxation on the first day of January of each year. In accordance with State Law, these records are not open to inspection by the public. [CH 59 S52B] Failure to comply will result in the automatic grounds for dismissal of filing an appeal with the Appellate Tax Board. All Class one (residential) property owners or lessees who fail to provide the requested information will result in a \$50.00 penalty per property. All Class three (commercial) and Class four (industrial) property owners or lessees who fail to provide the requested information will result in a \$250.00 penalty per property. The deadline for submission is May 31, 2012. Pittsfield Board of Assessors 70 Allen St, Room 108, Pittsfield, Ma 01201(413) 395-0102.

05/24/12, 05/25/12

CHARTER COMMUNICATIONS

Effective June 25, 2012 the FLIX channel will be available to all Expanded Basic Digital Only customers on channel 607. FLIX may contain PG, PG-13, TV-14, TVMA and R rated programming. If you do not wish to view please activate the parental controls or call 1-888-GET-CHARTER.



05/24/12

(SEAL) THE COMMONWEALTH OF MASSACHUSETTS LAND COURT DEPARTMENT OF THE TRIAL COURT

2012 MISC. 462308

ORDER OF NOTICE

To: Alfred W. Valentine

and to all persons entitled to the benefit of the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.:

Bank of America, NA, as successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP claiming to have an interest in a Mortgage covering real property in 12 Hillcrest Ave, Pittsfield given by Alfred W. Valentine to Bank of America, NA., dated July 17, 2007, and recorded with the Berkshire County (Middle District) Registry of Deeds at Book 4032, Page 217

Public Notices

has/have filed with this court a complaint for determination of Defendant's/Defendants' Servicemembers status.

If you now are, or recently have been, in the active military service of the United States of America, then you may be entitled to the benefits of the Servicemembers Civil Relief Act. If you object to a foreclosure of the above-mentioned property on that basis, then you or your attorney must file a written appearance and answer in this court at Three Pemberton Square, Boston, MA 02108 on or before July 2, 2012 or you will be forever barred from claiming that you are entitled to the benefits of said Act.

Witness, KARYN F. SCHEIER Chief Justice of this Court on May 15, 2012

Attest: Deborah J. Patterson Recorder 201202-1000-GRN

05/24/12

Commonwealth of Massachusetts The Trial Court Probate and Family Court

INFORMAL PROBATE PUBLICATION NOTICE

Docket No. BE12P0266EA

Estate of: William A. Roston Also Known As: n/a Date of Death: November 5, 2011

Berkshire Probate & Family Court 44 Bank Row Pittsfield, MA 01201 (413) 442-6941

To all persons interested in the above captioned estate, by Petition of Petitioner Mary Ann S. Roston of Southfield MA a Will has been admitted to informal probate. Mary Ann S. Roston of Southfield MA has been informally appointed as the Personal Representative of the estate to serve without surety on the bond.

The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representatives appointed under informal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner.

Peter L. Pucloski, Esquire Lazan Glover & Pucloski, LLP 785 Main Street Great Barrington, MA 01230 413-644-0200

05/24/12

Public Notices

COMMONWEALTH OF MASSACHUSETTS LAND COURT

DEPARTMENT OF THE TRIAL COURT Case No. 12 MISC 482077 ORDER OF NOTICE

To: David S. Baker Ruth Clinkscales a/k/a Ruth E. Clinkscales and to all persons entitled to the benefit of the Servicemembers Civil Relief Act, 50 U.S.C. APP. 501 § et seq.: Deutsche Bank National Trust Company, as Trustee for the Registered Holders of Soundview Home Loan Trust 2007-1 Asset-Backed Certificates, Series 2007-1 claiming to have an interest in a Mortgage covering real property in 16-18 Hail Place, a/k/a 16 Hail Place, Pittsfield, given by David S. Baker and Ruth Clinkscales to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for Mortgage Lenders Network USA, Inc., dated December 1, 2006, and recorded at Berkshire County (Middle District) Registry of Deeds in Book 3683, Page 84, and now held by Plaintiff by assignment, has/have filed with this court a complaint for determination of Defendant's/Defendants' Servicemembers status. If you now are, or recently have been, in the active military service of the United States of America, then you may be entitled to the benefits of the Servicemembers Civil Relief Act. If you object to a foreclosure of the above-mentioned property on that basis, then you or your attorney must file a written appearance and answer in this court at Three Pemberton Square, Boston, MA 02108 on or before June 25, 2012 or you will be forever barred from claiming that you are entitled to the benefits of said Act. Witness, Karyn F. Scheier, Chief Justice of said Court on May 8, 2012 Attest: Deborah J. Patterson, Recorder (11-004903)(5/24/2012)

05/24/12

Commonwealth of Massachusetts The Trial Court Probate and Family Court

MUPC SUPPLEMENTAL NOTICE

Docket No. BE12P0149EA

Estate of: Frederick M. Stier Also Known As: Frederick Stier Date of Death: March 4, 2012

Berkshire Division 44 Bank Row Pittsfield, MA 01201 (413) 442-6941

To all persons who may have an interest in the above-captioned estate, the Division of Medical Assistance and, if interested, to the Office of the Attorney General and the United States Department of Veterans Affairs;

Notice is being sent to you as you may have a legal interest in this case, in order to inform you of your rights.

Under the new Massachusetts Uniform Probate Code Inventory and Accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain or-

Public N

ders terminating or restrictive powers of the appointed representative.

Petitioner requests to file a MUPC Bond.

Lynch Scrimo, Esq. 68 Main Street Lenox, MA 01240 413-637-1300

05/24/12

Commonwealth of N The Trial C Probate and Far

CITATION ON PETITION FOR ADJUDICATION

Docket No. BE12

Estate of: Katalin H Hor Also Known as: Kathy Hor Date of Death: 11/27/20

Berkshire Probate and Family Court 44 Bank Row Pittsfield, MA (413) 442-6

To all interested persons: A Petition has been filed by Gordon Esq. of Milford MA for the Court to enter a formal Decree of Testacy and for such a Decree to be entered in the Petition. The Petitioner is requesting that: Abraham I Gordon Esq. and Monica A Gordon Esq. be appointed as Personal Representative(s) of said estate Without Surety on the bond.

You have the right to file a Petition with the Court. You have a right to object to this proceeding. To do so, you must file a written appearance and objection at this 10:00 a.m. on date 06/11/12. This is NOT a hearing and you must appear in person by which you must appear and object to this proceeding. If timely written appearance is not filed, the Court will enter a Decree of Testacy and you will be deemed to have accepted the appointment of the Personal Representative(s) of said estate. You have the right to file a Petition with the Court. You have a right to object to this proceeding. To do so, you must file a written appearance and objection at this 10:00 a.m. on date 06/11/12. This is NOT a hearing and you must appear in person by which you must appear and object to this proceeding. If timely written appearance is not filed, the Court will enter a Decree of Testacy and you will be deemed to have accepted the appointment of the Personal Representative(s) of said estate. You have the right to file a Petition with the Court. You have a right to object to this proceeding. To do so, you must file a written appearance and objection at this 10:00 a.m. on date 06/11/12. This is NOT a hearing and you must appear in person by which you must appear and object to this proceeding. If timely written appearance is not filed, the Court will enter a Decree of Testacy and you will be deemed to have accepted the appointment of the Personal Representative(s) of said estate.

The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration.

WITNESS, Hon. Richard Justice of this Court.

Date: May 18, 2012

Thomas J. Hamel, Esq. Martin, Oliveira & Hamel. 75 South Church Street, Pittsfield, MA 01201

05/24/12



CITY OF PITTSFIELD

CITY COUNCIL, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201

MINUTES

JOINT MEETING

**FINANCE &
COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE**

**Thursday, May 31, 2012
7:30 p.m., City Council Chambers**

Roll Call:

Melissa Mazzeo, Finance Committee
Jonathon Lothrop Finance Committee
Barry Clairmont Finance Committee
Paul Capitano Finance Committee
Kevin Sherman Finance Committee

Christine Yon, Chair, OCED Committee
John Krol, OCED Committee
Kevin Morandi, OCED Committee
Churchill Cotton, OCED Committee

Also Present:

Deborah Courtney, Recording Secretary
Bonnie Galant, Community Development
Deanna Ruffer, Director
Justine Dodds, Community Development
Lou Allegrone, Allegrone
Ian Rasch, Director of Development, Allegrone Real Estate, Inc.

Chairman Lothrop called the meeting to order at 7:30 p.m. in the City Council Chambers.

Jonathon Lothrop stated for the record that this hearing is being televised and your voices are being recorded on PCT TV.

New Business:

1. A communication from Mayor Bianchi submitting three Orders related to a new Housing Development Incentive Program offered by the Commonwealth to foster the development of market rate housing in the urban center.
 - An Order designating a Housing Development Zone, approving a Housing Development Incentive Program Zone Plan, and authorizing the submittal of this plan to the Mass. Dept. of Housing and Community Development;
 - An Order approving the Tax Increment Exemption Agreement for 124-132 Fenn Street;
 - An Order approving the Tax Increment Exemption Agreement for 64-74 North Street.

Deanna Ruffer reported on the communication from Mayor Bianchi. Listed above are the 3 orders that were being debated.

Ms. Ruffer stated that several years ago herself and her peers went to the state to gain support to participate in a new state sponsored housing program to pave the way for a local developer to invest 11 million toward creating additional downtown apartments. She said that the program will designate a housing development zone in the city center under HDIP allowing developers planning housing projects for market rate rentals within the zone to seek local and state tax breaks. She said that if this is approved it will allow Allegrone Construction tax incentives to develop market rate rentals on North and Fenn street. Ms. Ruffer commented that the regulations show how to promote market rate housing development in gateway cities and provide guidelines for minimum rent. She said that HDIP will make available in its first year a total of \$5 million in state tax credits to qualified projects in Pittsfield and the state's 23 other gateway cities if they enter into the program.

Ms. Ruffer further reviewed what is market rate housing and why encouraged in the downtown. She said that the Commonwealth is interested in this because it strengthens communities across the commonwealth and it preserves and strengthen former industrial communities. She said that the incentives are straightforward and reflect partnership between the commonwealth, municipality and the developer. She said that this is the first state program targeted toward market rate housing one of few in country. She said we must start by designate a Housing Development Zone proposed to be Downtown Arts Overlay District & Plunkett School.

Lou Allegrone, of Allegrone Construction stated that his company is a construction firm and a vertically integrated developer that was founded in 1921. His company specializes in Urban Infill and Historic Preservation with numerous preservation awards. He is committed to long-term investment in the downtown.

Ian Rasch, Director of Development for Allegrone Real Estate commented that moving the project forward possibly by late summer is contingent on the city taking advantage of HDIP and receiving both the state and local tax breaks. He said that Allegrone is here to seek City Council approval for a Tax Increment Exemption agreement for the North and Fenn Street properties. A TIE is the residential version of a TIF or Tax Increment Financing that is geared toward commercial projects. The company wanted to redevelop two commercial buildings it owns on North and Fenn streets by converting the upper floors into market rate rentals. The first floors would remain as commercial space. The construction firm plans to spend \$4.5 million on the Howard Building located at 124-132 Fenn Street and \$6.5 million at the Onota Building at 64-74 North Street.

Deanna Ruffer reviewed the proposal that is a 10-year TIE that will take effect after both sites are redeveloped. It calls for a 100 percent break on the residential portion of local property tax bills for the first year. The exemption is on the assessment amount above what the buildings are currently assessed at by the city. The exemption will decrease 10 percent each subsequent year with Allegrone paying property taxes on the full property values after the agreements expires. She also stated that the tax exemptions will benefit the City in the long run. She said that currently the Howard and Onota buildings are assessed at \$406,300 and \$619,900. Once redeveloped city officials estimate Howard would be valued at \$1.76 million and Onota at \$2.75 million. She said that the projects will more than double the tax revenue received from the properties even with the TIEs.

Councilor Lothrop asked if there were anyone present who wished to speak .

Peter LaFayette, 35 Ivy Lane on behalf of Downtown Inc. Mr. LaFayette commented that he fully supports this proposal and is seeking the full support of the city council. He cited three reasons why: (1) Create first class office space, keep expanding office for moving downtown; (2) create arts district; and (3) development of more restaurants in the downtown.

Chairman Lothrop asked if there were anyone else who wished to speaking, seeing none Chairman Lothrop closed that portion of the public hearing and opened it up to the Councilors for discussion.

Councilor Krol commented that this is a great proposal for our City and our downtown. He thanked Allegrone for their proposal. He asked about the cash flow chart in regard to the Tax Credits.

Councilor Mazzeo to Deanna Ruffer. Could we amend the proposal as we moved forward? Deanna Ruffer responded, We can amend at any time based upon a development opportunity. And that St. Mary's is the most likely development opportunity on Tyler Street. In regard to the tax credits they are able to get \$1 million per project? Deanna Ruffer responded the amount is \$ 990,000 and that is what they identified. We don't make decisions about the amount of funds awarded.

Councilor Mazzeo on the \$5 million dollar pool, once the pool is done is there another round? Any grantee the legislature has to agree to fund the new funds.

Deanna Ruffer responded. Our delegation will become very important to that and there is no guarantee if there will be another round.

Councilor Mazzeo, what about the parking issues? Deanna Ruffer responded just because we have a zone, they still have to go thru all the permits, they have to demonstrate 1 space per unit.

Councilor Clairmont to Deanna Ruffer. How competitive is the first round? Are we ahead from the rest?

Deanna Ruffer responded, there are projects in Lowell and Chelsea to her acknowledge and there are others as well.

Councilor Clairmont to Deanna Ruffer. If grant is not received, can the TIE be rescinded?

Deanna Ruffer responded that the TIE is authorized as part of this program. Not sure it will be valid. It is part of the same program. The Plunkett property does not deal with zoning and it does not change.

Councilor Clairmont stated that he fully supports this project and thanked the Mayor for bringing this forward.

Councilor Lothrop asked where are we with historic tax credits?

Ian Rasch responded that we received a certification and our federal credit is in place. We have 85 percent for Howard and Onota 25 percent range. We have one more round to get our final percentage.

The question was raised with regard to parking for the tenants. It was stated that the Howard Building tenants will have access to park across the street. Allegroni bought the lot across the street that holds between 14-16 parking spaces. In regards to the Onota Building, there are negotiations with parking permits and they are working with the Crowne Plaza.

After further discussion, a motion was made to approve the following orders:

- An Order designating a Housing Development Zone, approving a Housing Development Incentive Program Zone Plan, and authorizing the submittal of this plan to the Mass. Dept. of Housing and Community Development;
- An Order approving the Tax Increment Exemption Agreement for 124-132 Fenn Street;
- An Order approving the Tax Increment Exemption Agreement for 64-74 North Street.

Those in favor: Melissa Mazzeo, Finance Committee, Jonathon Lothrop Finance Committee, Barry Clairmont Finance Committee, Paul Capitiano Finance Committee, Kevin Sherman Finance Committee, Christine Yon, Chair, OCED Committee
John Krol, OCED Committee, Kevin Morandi, OCED Committee, Churchill Cotton, OCED Committee

The motion passed 9-0.

A motion was made and seconded to adjourn at 8:48 p.m.

Old Business:

1. None.

Submitted by Deborah Courtney, Clerk of Committees
June 3, 2012.

APPROVAL BY MUNICIPAL LEGISLATIVE BODY – SECTION 66.03(3)

The proposed HD Zone and proposed HD Zone Plan were approved by the full City Council at its meeting held on June 26, 2012. See attached copies of the approved and signed City Council orders.

No. 35

City of Pittsfield
M A S S A C H U S E T T S
IN CITY COUNCIL
AN ORDER

APPROVING THE HOUSING DEVELOPMENT ZONE PLAN AND MAP

Ordered:

1. That the attached Housing Development Zone for downtown Pittsfield is hereby approved and hereby made a part of this Resolution.
2. That a Housing Development Zone is established as illustrated on the attached Map, which is hereby made a part of this Resolution.
3. That the Mayor is hereby authorized to submit the Housing Development Zone Plan and Map to the Massachusetts Department of Housing and Community Development.
4. That the Mayor is authorized to act in connection with the submittal of the Plan and to provide such additional information as may be required by the Massachusetts Department of Housing and Community Development.
5. The Mayor and City Council President, subject to City Council approval, are hereby authorized to negotiate tax increment exemptions from property taxes for a period not to exceed twenty (20) years for projects that meet the guidelines set forth under M.G.L. Chapter 40V and the regulations set forth at 760 CMR 66.00.

IN CITY COUNCIL
June 26, 2012
Read and adopted – 10 Yeas 0 Nays
/s/ Kevin J. Sherman, City Council President
/s/ Linda M. Tyer, City Clerk

MAYOR'S OFFICE
Approved: June 29, 2012
/s/ Daniel L. Bianchi, Mayor

A true copy Attest:


Linda M. Tyer, City Clerk

City of Pittsfield

MASSACHUSETTS

IN CITY COUNCIL

AN ORDER

APPROVING THE TAX INCREMENT EXEMPTION AGREEMENT FOR 124-132 FENN STREET

Ordered:

WHEREAS, the City of Pittsfield has been in negotiation with Allegrone Construction Company, Inc. regarding the development of 14 units of market rate housing at 124-132 Fenn Street, and

WHEREAS, Allegrone Construction Company, Inc. has applied for certification under the Massachusetts Housing Development Incentive Program created by Chapter 40V of Massachusetts General Laws;

WHEREAS, the project proposed by Allegrone Construction Company, Inc. meets the minimum requirements of the Housing Development Incentive Program and the local objectives of the City of Pittsfield's Housing Development Zone Plan;

WHEREAS, the proposed project is located at 124-132 Fenn Street, Pittsfield MA, which is within the boundaries of the City of Pittsfield's designated Housing Development Zone;

WHEREAS, the City of Pittsfield has agreed to offer Allegrone Construction Company, Inc. a Tax Increment Exemption Agreement. Said Agreement is hereby approved by the City Council and the Tax Increment Exemption Plan is incorporated by reference herein;

WHEREAS, Allegrone Construction Company, Inc. is investing \$4.6 million to create 14 units of market rate housing;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Pittsfield approves the Certified Project application of Allegrone Construction Company, Inc. and forwards said application to the Massachusetts Department of Housing and Community Development for its approval and endorsement.

FURTHER, the City Council of the City of Pittsfield authorizes the Mayor to execute the Tax Increment Exemption Agreement between the City of Pittsfield and Allegrone Construction Company, Inc. Said agreement will provide for an exemption on property taxes based on the growth portion in assessed valuation of the property at 100% for the first year, 90% for the second year, 80% for the third year, 70% for the fourth year, 60% for the fifth year, 50% for the sixth year, 40% for the seventh year, 30% for the eighth year, 20% for the ninth year, and 10% for the tenth year of a ten year agreement according to the requirements and regulations established which govern the implementation of such Tax Increment Exemption Agreements. The Agreement will be in effect as of FY 2015 (July 1, 2014) and will extend through FY 2024 (June 30, 2024).

IN CITY COUNCIL

June 26, 2012

Read and adopted - 10 Yeas 0 Nays

/s/ Kevin J. Sherman, City Council President

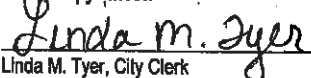
/s/ Linda M. Tyer, City Clerk

MAYOR'S OFFICE

Approved: June 29, 2012

/s/ Daniel L. Bianchi, Mayor

A true copy Attest:


Linda M. Tyer, City Clerk

City of Pittsfield

M A S S A C H U S E T T S

No. 37

IN CITY COUNCIL

AN ORDER

**APPROVING THE TAX INCREMENT EXEMPTION AGREEMENT
FOR
64-74 NORTH STREET**

Ordered:

WHEREAS, the City of Pittsfield has been in negotiation with Allegrone Construction Company, Inc. regarding the development of 25 units of market rate housing at 64-74 North Street, and

WHEREAS, Allegrone Construction Company, Inc. has applied for certification under the Massachusetts Housing Development Incentive Program created by Chapter 40V of Massachusetts General Laws;

WHEREAS, the project proposed by Allegrone Construction Company, Inc. meets the minimum requirements of the Housing Development Incentive Program and the local objectives of the City of Pittsfield's Housing Development Zone Plan;

WHEREAS, the proposed project is located at 64-74 North Street, Pittsfield MA, which is within the boundaries of the City of Pittsfield's designated Housing Development Zone;

WHEREAS, the City of Pittsfield has agreed to offer Allegrone Construction Company, Inc. a Tax Increment Exemption Agreement. Said Agreement is hereby approved by the City Council and the Tax Increment Exemption Plan is incorporated by reference herein;

WHEREAS, Allegrone Construction Company, Inc. is investing more than \$6.3 million to create 25 units of market rate housing;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Pittsfield approves the Certified Project application of Allegrone Construction Company, Inc. and forwards said application to the Massachusetts Department of Housing and Community Development for its approval and endorsement.

FURTHER, the City Council of the City of Pittsfield authorizes the Mayor to execute the Tax Increment Exemption Agreement between the City of Pittsfield and Allegrone Construction Company, Inc. Said agreement will provide for an exemption on property taxes based on the growth portion in assessed valuation of the property at 100% for the first year, 90% for the second year, 80% for the third year, 70% for the fourth year, 60% for the fifth year, 50% for the sixth year, 40% for the seventh year, 30% for the eighth year, 20% for the ninth year, and 10% for the tenth year of a ten year agreement according to the requirements and regulations established which govern the implementation of such Tax Increment Exemption Agreements. The Agreement will be in effect as of FY 2016 (July 1, 2015) and will extend through FY 2025 (June 30, 2025).

IN CITY COUNCIL

June 26, 2012

Read and adopted - 10 Yeas 0 Nays

/s/ Kevin J. Sherman, City Council President

/s/ Linda M. Tyer, City Clerk

MAYOR'S OFFICE

Approved: June 29, 2012

/s/ Daniel L. Bianchi, Mayor

A true copy Attest:

Linda M. Tyer
Linda M. Tyer, City Clerk

EXECUTIVE SUMMARY

The name of the City's proposed HD Zone is the Downtown Market Rate Housing Incentive Zone. The proposed zone is located in downtown Pittsfield with the same boundaries as the City's existing Downtown Arts Overlay District, plus a historic school building that is vacant and has had some development interest in recent months. The objectives of the Housing Development Zone Plan are to increase residential growth, expand the diversity of housing stock, support economic development, and promote neighborhood stabilization.

There is a clear need for multi-unit market rate housing in the proposed Downtown Market Rate Housing Incentive Zone. As part of the planning process for the redevelopment of the Frank Howard Building and the Onota Building, Allegrone Construction commissioned a market study, *Housing Development Incentive Program Market Study for Downtown Pittsfield Apartments*, prepared by LDS Consulting Group, LLC. This study found that the economic climate of the current housing market has forced many homeowners and potential buyers into the rental housing market. The proposed HDIP Zone shows a significantly higher rental rate and a lower vacancy rate than other areas in the City, suggesting the need for additional rental units in this area. Another unique housing characteristic in the HDIP Zone is that a majority of households in this area are smaller households, with over 80% of the households in the HD Zone being one and two person households. The low household size in comparison to the rest of the City indicates a market that may prefer downtown housing, such as empty nesters, young professionals, and non-family households. Currently, there is a lack of quality market rate rental housing in the HD Zone. The majority of apartments in downtown are in smaller buildings that have been renovated, rather than the substantial rehabilitation proposed for the Allegrone projects. There are very few large-scale multi-family apartment complexes in Pittsfield and the most recent ones are targeted to affordable households.

There are several development activities, public and private, proposed for the Downtown Market Rate Housing Incentive Zone. After identifying the redevelopment of the downtown as a critical factor to enhance the viability of the community as a desirable place to live and work, the City made some key investments into several development activities, both public and private, in the HD Zone. This multifaceted approach included the establishment of the Downtown Arts Overlay District to streamline permitting for new projects and increase the opportunity to develop residential housing downtown, critical investment in four key historic cultural buildings, and a multi-phased multimillion dollar streetscape project. The \$11 million Streetscape project covers the downtown from South Street at Memorial Park to North Street at Wahcohnah Park. The project created and connected pedestrian spaces, improved pedestrian safety in the downtown, incorporated green features into the design and includes public art in its layout. The four downtown cultural organizations the City made a critical investment in are the Berkshire Museum, the Colonial Theater, Barrington Stage and the Beacon Cinema. In each case, the City used its investment to leverage other public and private investments. To date these efforts have resulted in bringing over 400,000 people per year into downtown, over 70 new market rate housing units under the downtown arts overlay district, 45 new businesses and restaurants and \$100 million in investment to the area.

To date there are two proposed market rate housing projects that are known of by the City that are located in the Downtown Market Rate Housing Incentive Zone. These are the two buildings that Allegrone Construction, Inc. is planning to re-develop in the HD Zone, 14 units at the Frank Howard Building at 124 Fenn Street and 25 units at the Onota Building at 64 North Street. Both are located in underutilized historic buildings in the downtown, will provide important housing alternatives in the downtown, and will help move forward the revitalization efforts currently underway. There are two other locations in the Downtown Market Rate Housing Incentive Zone which have also generated development interest. One is the historic Plunkett School Building, which is currently vacant and under a demolition delay order and the second is a vacant apartment building, White Terrace, which the City designated as a 40R Smart Growth Overlay District subzone.

HOUSING DEVELOPMENT ZONE – SECTION 66.04(1)

The City of Pittsfield has designated the existing Downtown Arts Overlay District plus one parcel as its Housing Development Zone. The City's proposed Housing Development Zone would be named the Downtown Market Rate Housing Incentive Zone and will follow the boundaries of the existing Downtown Arts Overlay District, with the addition of the Plunkett School parcel. The Downtown Arts Overlay District was adopted by the City's zoning ordinance in 2005 to encourage the mixed use of buildings in the downtown area. The district was established to enhance vitality in the downtown by fostering a mix of uses through increasing downtown housing opportunities and fostering arts-related development and activities by creating a core of arts, cultural and residential activities. The overlay district permits a mixed-use development pattern similar to that of North Street within the proposed study area, despite the varying underlying zoning districts. Besides encouraging a mixture of uses, the Downtown Arts Overlay District also reduces the required parking standards in the downtown area. The district encourages greater pedestrian activity as a part of entertainment and residential uses mixed with traditional retail and business activities, and foster economic revitalization. Since these goals are in alignment with the goals of the Housing Development Incentive Program, the City has chosen to use the existing Downtown Arts Overlay District footprint for the HDIP Zone. The only difference between the existing Downtown Arts Overlay District and the HD Zone is that the map has been changed to add the Plunkett School property, a historic former school building that has been vacant for some time. The former school property is adjacent to the border of the existing Downtown Arts Overlay District and the property has recently been under some scrutiny due to a demolition delay ordinance from the Pittsfield Historic Commission. The addition of this parcel to the HD Zone would allow the City to have an additional incentive for prospective developers.

A Housing Development Incentive Program Market Study for Downtown Pittsfield Apartments was prepared by LDS Consulting Group, LLC. This market study contains independent and verifiable data that demonstrates the demand for multi-unit Market Rate Residential Units in the HD Zone. The comprehensive study of the HD Zone looked at housing factors in the downtown census tract, which the HD Zone falls within, and compared those factors citywide, county wide, and statewide. The study found that since 2000 there has been an overall decline in single family home sales in Pittsfield, which is not surprising in light of the recent economic downturn nationwide. This decline is mirrored citywide and throughout Berkshire County. The study states "Due to the effects of the subprime mortgage crisis, many prospective buyers of condominiums and homes have not been able to qualify for a mortgage or have had their homes foreclosed on. Therefore they are returning to the rental market. All of these factors are adding additional pressure to the rental market". In the HDIP Zone, the majority of housing units (90%) were renter occupied, significantly higher than in the rest of the City (30%). The vacancy rate for renters in this area was 4.3%, which was lower than the comparison areas. Also the U.S. Census found that 80 units of rental housing were lost in the downtown between 2000-2010, with a projected loss of 160 units between 2000 and 2017. The study saw the discrepancy in the vacancy rate for the downtown and the projected loss of units in the downtown resulting in a "constrained supply of rental housing and the need for additional housing units" in this area. Another important factor that the study found was that the majority of households in downtown Pittsfield are one person households and over 80% are one and two person households.

Again these numbers were much lower percentages than the comparison areas leading the study to conclude that “the low household size in comparison with the surrounding geographies may indicate a preference for downtown housing by young professionals, empty nesters and no family households.” While the increase in median family income for the downtown area presently showed a smaller growth rate than the comparison areas, this may be due to lower population in the zone and the fact that the population in the zone is comprised of smaller households. The study states “new quality market rate housing in the downtown coupled with the revitalization and cultural efforts in the downtown should draw higher income households into the downtown.”

The proposed Housing Development Zone is appropriately located to support the objectives of the Housing Development Zone Plan. Using the pre-existing Downtown Arts Overlay District allows the City to demonstrate that City incentives to develop mixed use properties in this district have already resulted in new housing units, new businesses that cater to these new residents and provide employment opportunities, and have promoted the stabilization of the neighborhood. The purpose of this Downtown Overlay District, adopted by the City in 2005, is to enhance vitality in downtown by fostering a mix of uses through increasing downtown housing opportunities and fostering arts-related development and activities. This district created a core of arts, cultural, and residential activities; encouraged greater pedestrian activity as part of entertainment and residential uses, mixed with traditional retail and business activities; encouraged economic revitalization; and nurtured artistic contributions to the city and region. The zoning within the existing Downtown Arts Overlay District prohibits selected businesses, including car washes, nursing homes, restaurants with drive-ins or drive-throughs, and the retail sale of propane. Since its adoption by the City, the Arts Overlay District has permitted 70 units of market rate housing and two creative economy textile companies in the same zone that the HDIP program proposes to use. (Attachment - Downtown Investment Projects)

There is sufficient likelihood that market rate housing units will be developed in the HDIP Zone. Allegrone Construction, Inc. plans to develop 14 units in the Frank Howard Building at 124 Fenn Street and 25 units in the Onota Building at 64 North Street. There are 8 units of for-sale, market rate condominiums at the Clock Tower Building located in the HD Zone, which are currently under construction. In addition, there are two sites included in the 40R program and located in the HDIP Zone that may also be developed into housing: White Terrace, a vacant former apartment building; and Paul Rich and Sons, a popular furniture store that has vacant floors above the commercial location that could be developed as housing. Another viable location for market rate housing is the site of the former Plunkett School, a historic building located in the Housing Development Zone, which has seen recent interest by several developers due to the Pittsfield Historic Commission’s and Community Development Board’s votes to delay the demolition of this historic property by six months, as allowed under the City’s demolition delay ordinance.

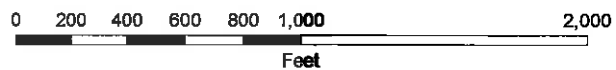
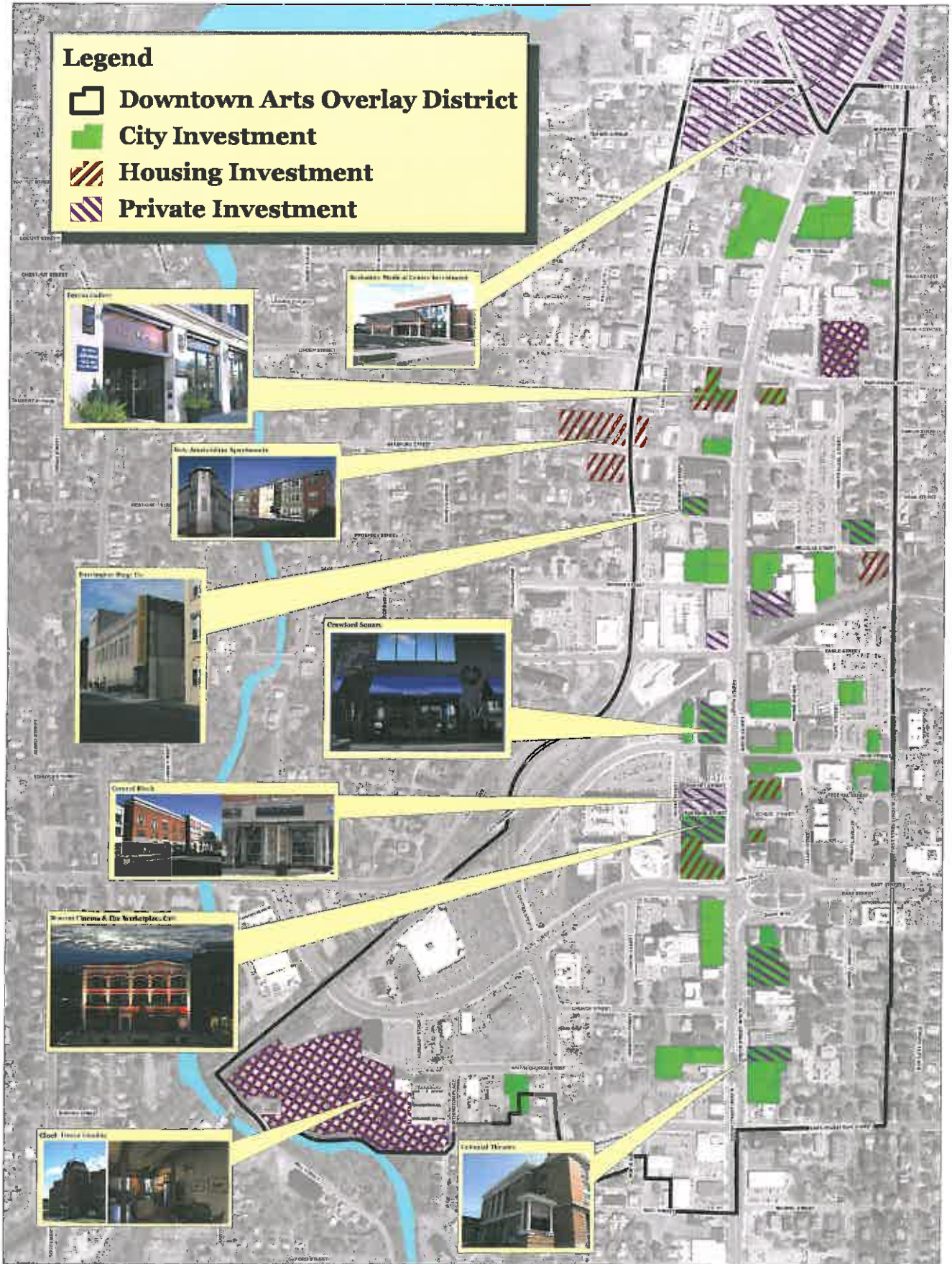


Downtown Investment Projects

City of Pittsfield

Legend

-  Downtown Arts Overlay District
-  City Investment
-  Housing Investment
-  Private Investment



Maps – Section 66.04(1)(c)

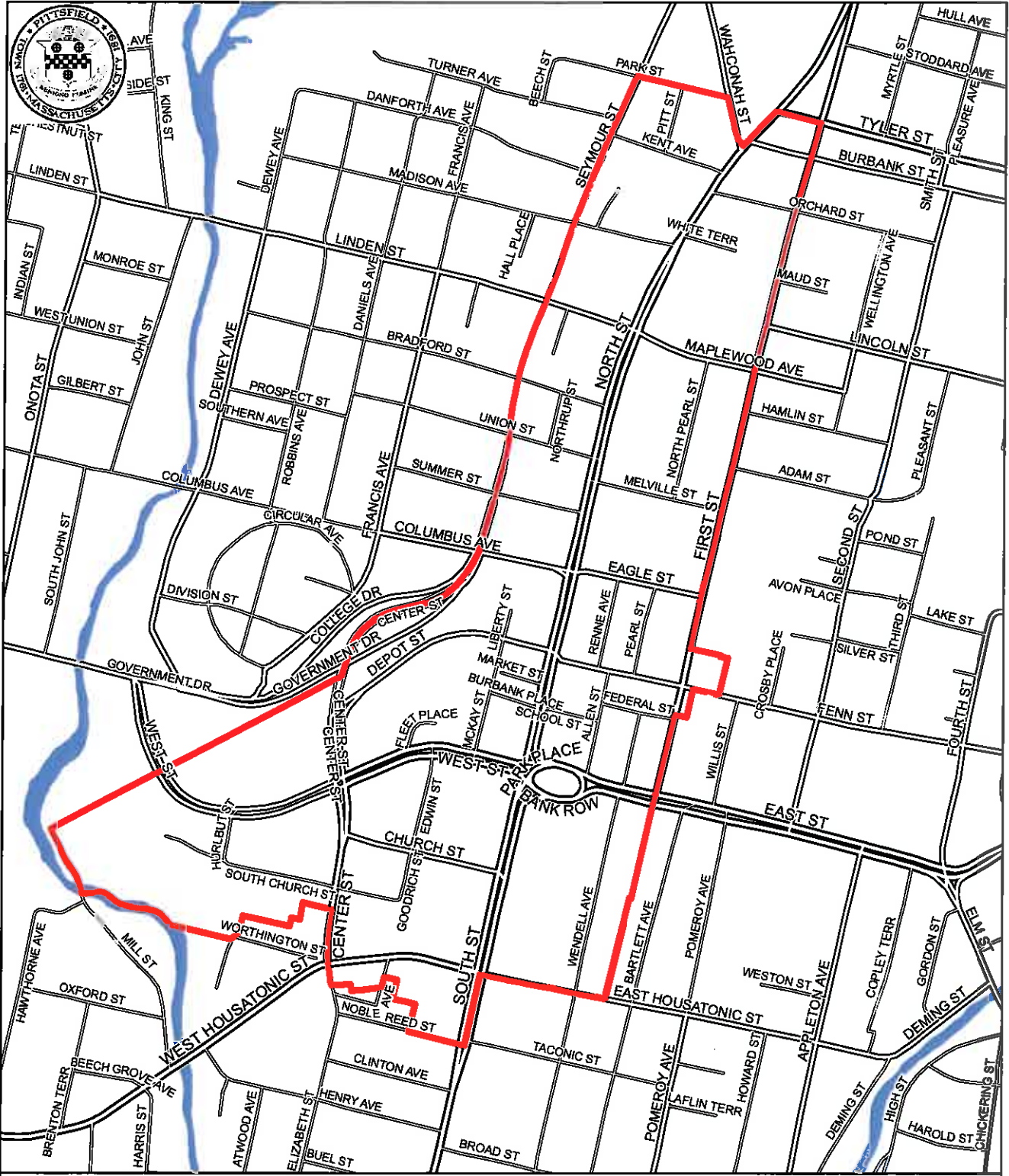
Map 1- Boundaries of the HD Zone

Map 2- Locus of the HD Zone within the municipality

Map 3- Existing Property Lines and Foot-print of Buildings

Map 4- Existing Use of Parcels in the HD Zone

Map 5- Existing Zoning of Parcels in the HD Zone

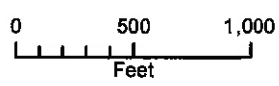


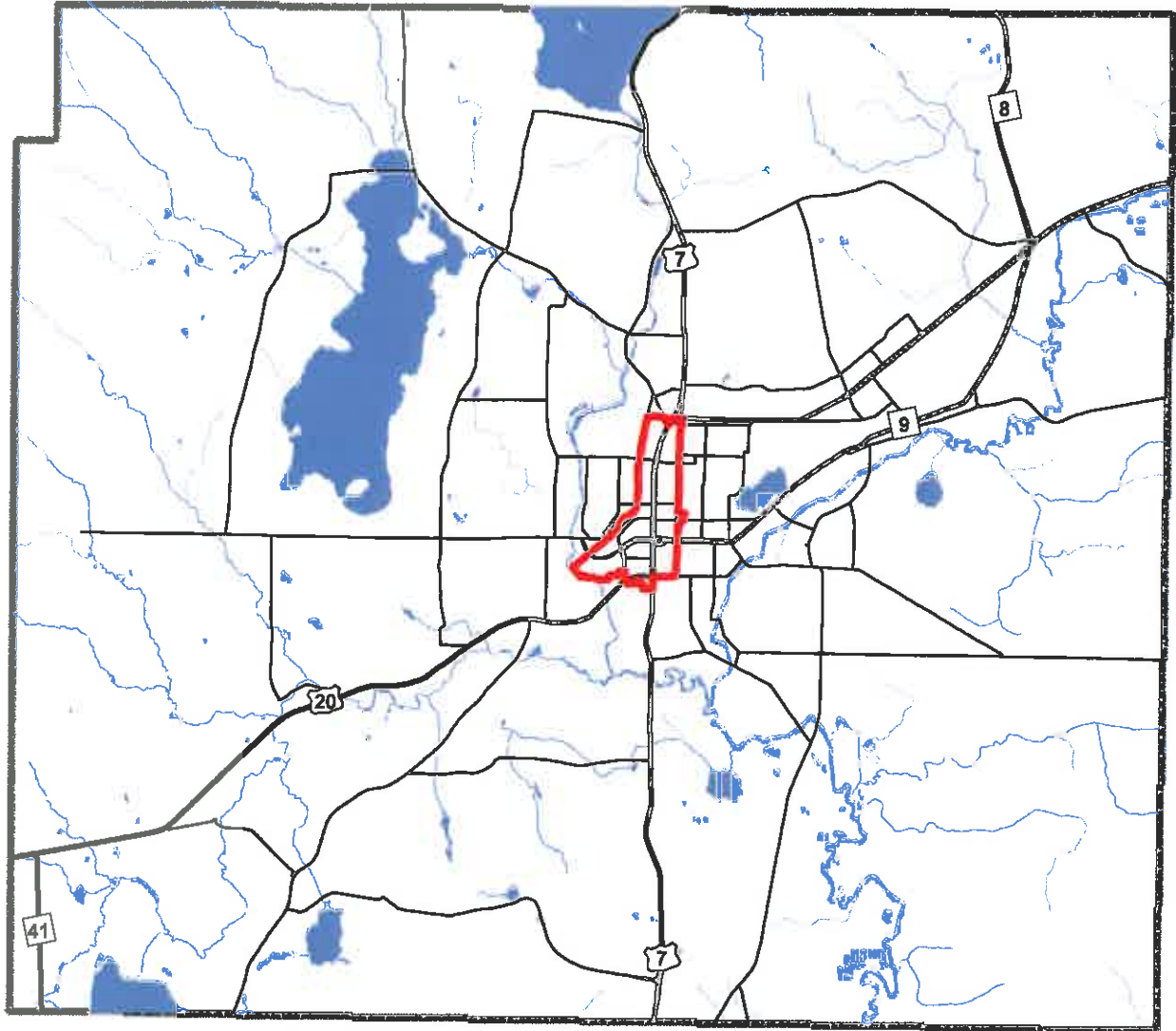
 Housing Development Incentive Program Zone

City of Pittsfield Housing Development Incentive Program Housing Development Zone Map



This map was created by the Berkshire Regional Planning Commission and is intended for general planning purposes only. This map shall not be used for engineering, survey, legal, or regulatory purposes. MassGIS, MassDOT, BRPC or the municipality may have supplied portions of this data.






 Housing Development Incentive Program Zone

City of Pittsfield Housing Development Incentive Program

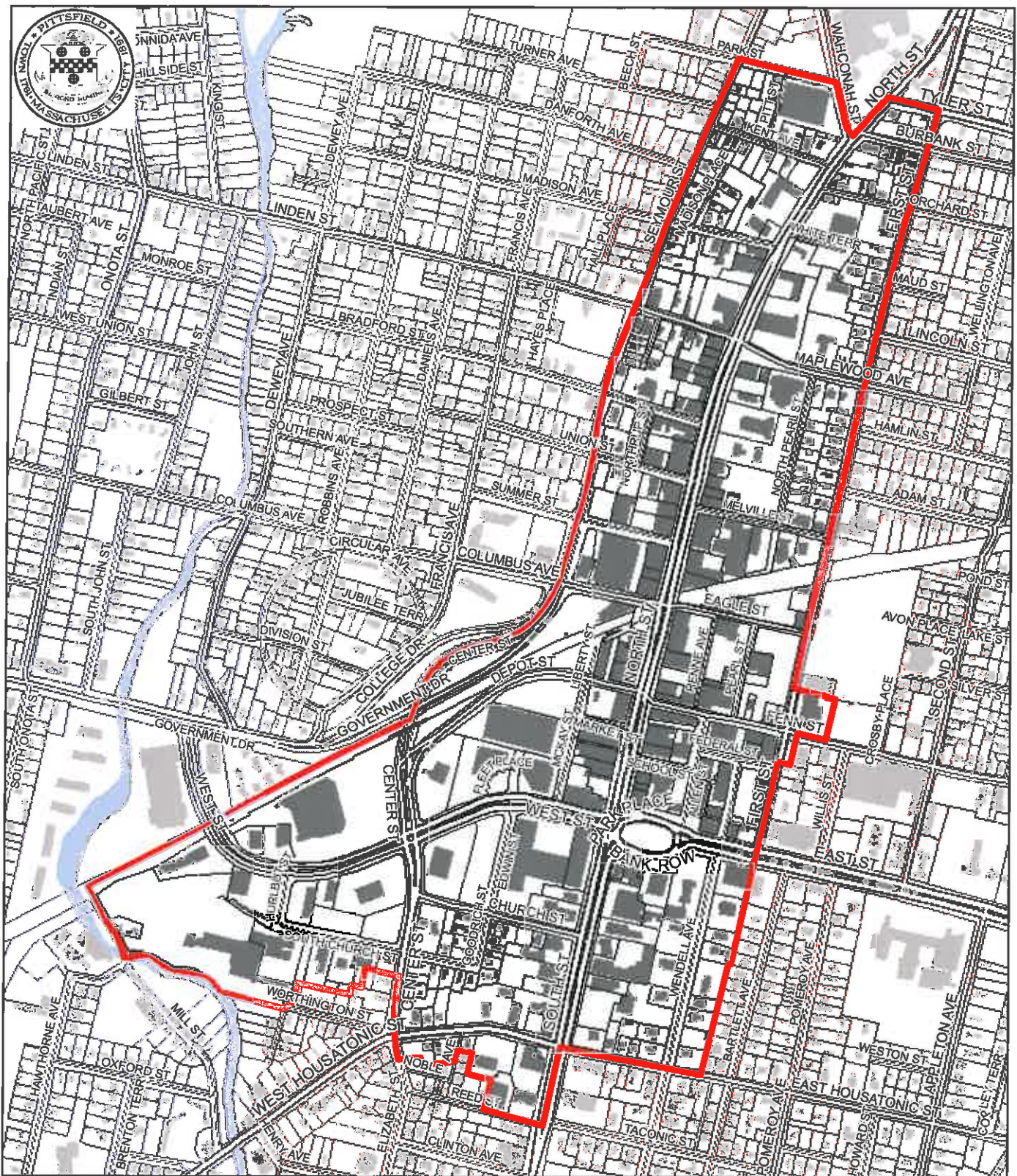
Locus Map



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Feet





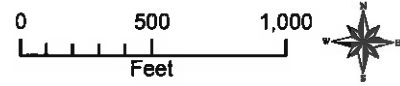
-  Housing Development Incentive Program Zone
-  Property Lines
-  Buildings

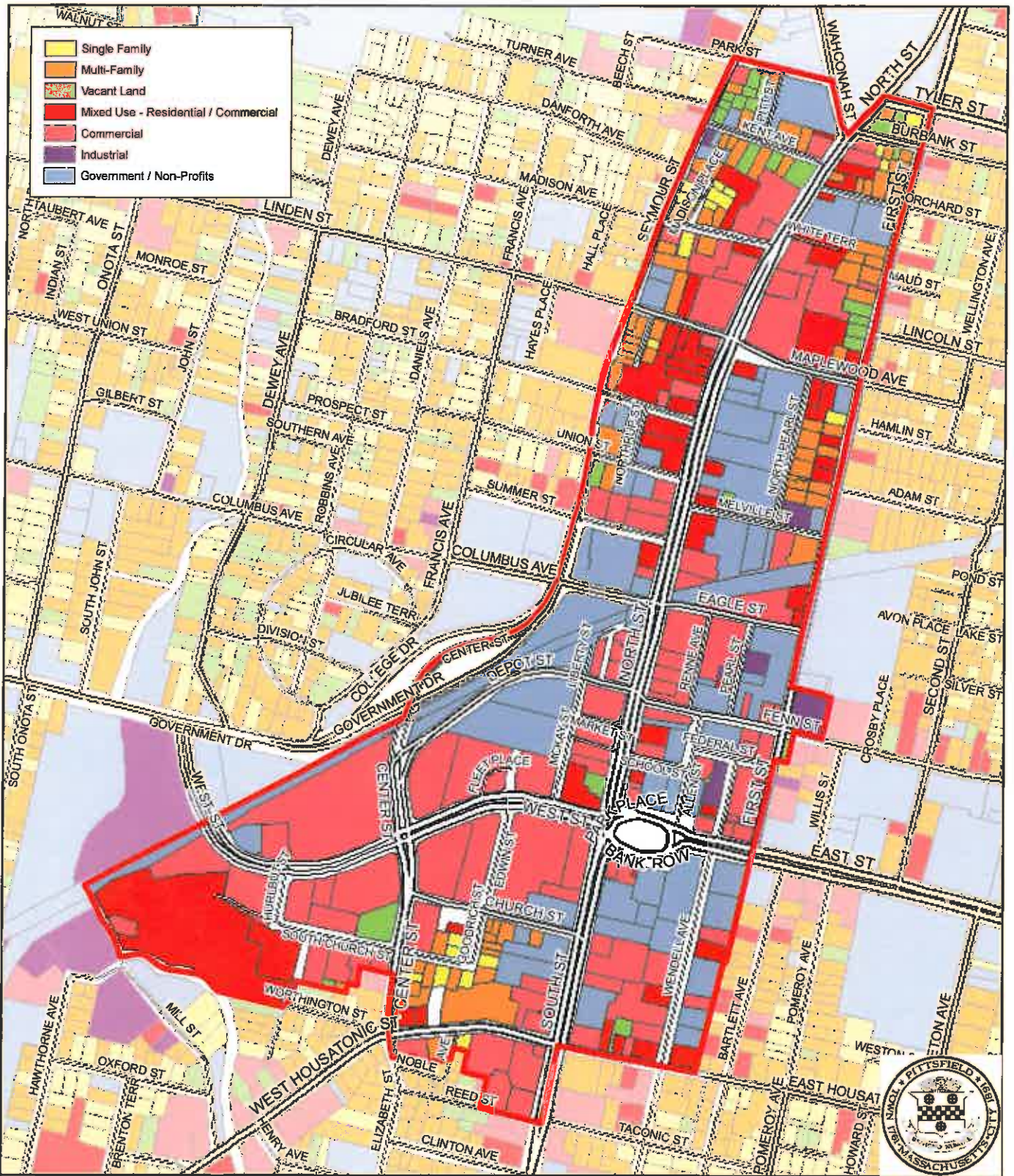
City of Pittsfield Housing Development Incentive Program

Property Map



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- Single Family
- Multi-Family
- Vacant Land
- Mixed Use - Residential / Commercial
- Commercial
- Industrial
- Government / Non-Profits

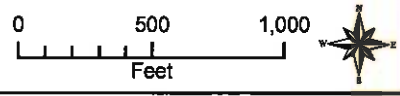
Housing Development Incentive Program Zone

City of Pittsfield Housing Development Incentive Program

Parcel Use

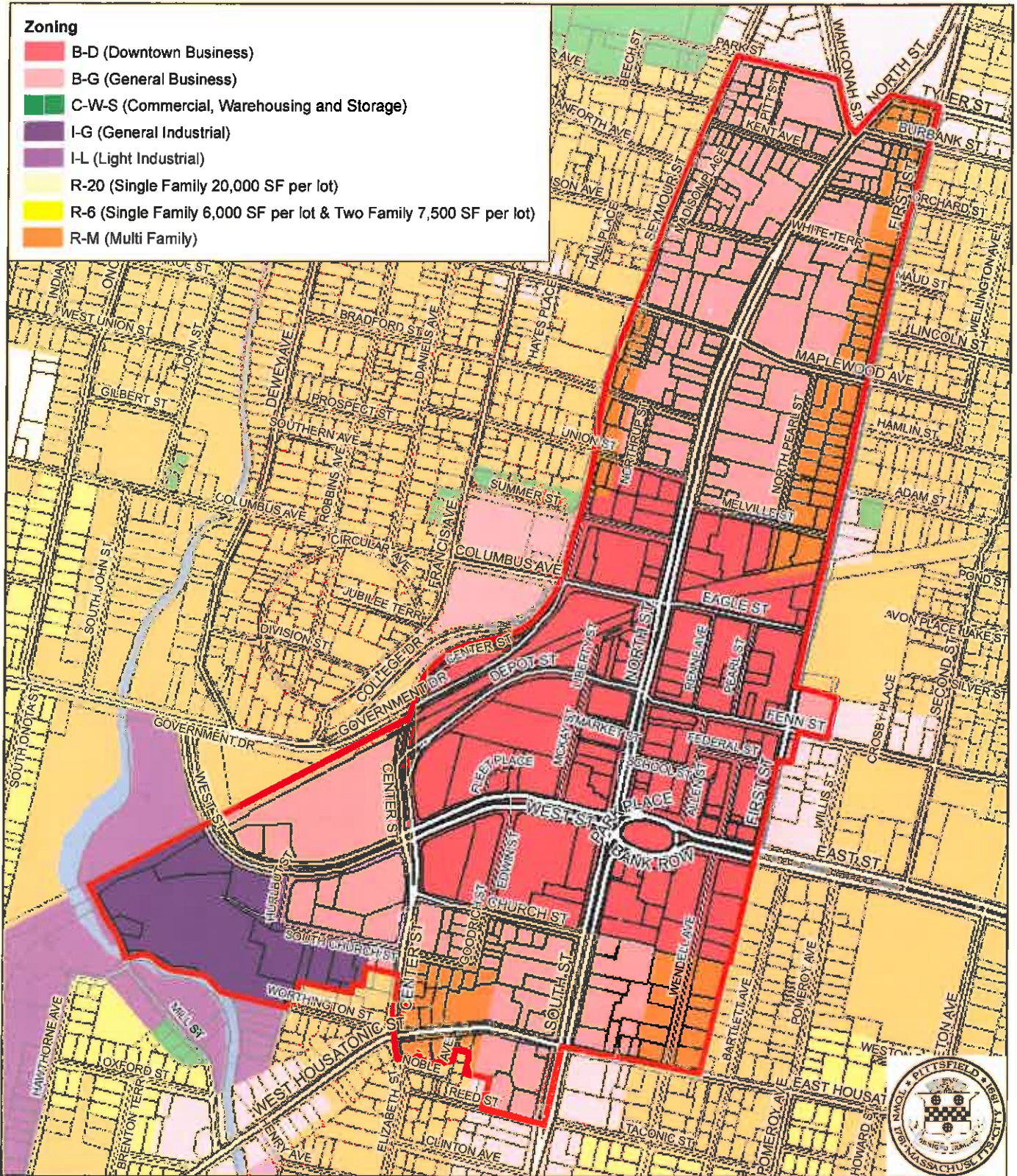


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Zoning

- B-D (Downtown Business)
- B-G (General Business)
- C-W-S (Commercial, Warehousing and Storage)
- I-G (General Industrial)
- I-L (Light Industrial)
- R-20 (Single Family 20,000 SF per lot)
- R-6 (Single Family 6,000 SF per lot & Two Family 7,500 SF per lot)
- R-M (Multi Family)



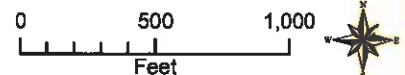
- Housing Development Incentive Program Zone
- Property Lines

**City of Pittsfield
Housing Development Incentive Program**

Zoning



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HOUSING DEVELOPMENT ZONE PLAN – SECTION 66.04(2)

Objectives of the HD Zone Plan – Section 66.04(2)(a)

The objectives of the Housing Development Zone Plan are to increase residential growth, expand the diversity of housing stock, support economic development, and promote neighborhood stabilization. Pittsfield has seen its downtown transform from a dominant retail center to a center for services – governmental, financial, health, and social. It is still in a state of transformation and is now becoming a center of culture and entertainment that is anchored by two performance theaters, a multiplex cinema center, and features an increasing variety of restaurants and retail stores. Part of the impetus for the change was the creation of a Downtown Arts Overlay District in the City’s zoning ordinance, which allows mixed uses with housing throughout the downtown. It is important to note that in addition to the Downtown Arts Overlay District, City officials have also created several other incentive zones and/or initiative areas that both include and overlap the original arts overlay district. The formation of these several zones affords developers several attractive incentives and avenues with which to work to create both new economic and housing opportunities. These recently created zones and initiatives are as follows:

- Downtown Arts Overlay District
- 40R – Smart Growth Zoning Overlay District
- Morningside Neighborhood Initiative Area
- Westside Neighborhood Initiative Area
- 43D Priority Development Site (Former General Electric site)
- Urban Center Housing TIF Zone

Recent years have also seen the creation of two large scale affordable housing developments in the general vicinity of the Downtown Arts Overlay District. New Amsterdam, comprised of five buildings of new construction totaling 43 units of affordable housing and located in downtown Pittsfield, was completed in 2008. Before the New Amsterdam project was completed, Pittsfield had seen no new affordable housing development since 1971. The Silk Mill project on Cherry Street, the adaptive reuse of an abandoned mill building into 45 affordable workforce rental housing units, anticipates opening its doors August 1, 2012. The success of these projects was in large part due to the collaborative efforts of many entities, which included the Commonwealth’s Department of Housing and Community Development, the Morningside and Westside Neighborhood Initiatives, the individual developers and the City. These projects have significantly raised both the quantity and the quality of Pittsfield’s affordable housing stock. The creation of the Housing Development Zone and Plan would allow Pittsfield to address an area of the housing market it has yet to address, market rate housing. The City will use the HD Zone to encourage developers to incorporate a residential sales and/or rental structure that will be affordable to a wide range of city residents, from its workforce to retirees and second homeowners who come to the city to experience its cultural destinations.

Pittsfield has experienced a resurgence of downtown business to accommodate these new residents as well as existing and new downtown employees and visitors. Already the City has seen that the

creation of two performance theaters and a multi-screen cinema in the downtown has caused an increase in the variety and number of business that cater to the cultural economy. The creation of market rate units in the HD Zone will contribute considerably to the economic growth of downtown business. The City will use the HD Zone to encourage a mix of uses within specific developments and on specific properties. The HD Zone will also be used to foster diverse opportunities and uses that will help create a vital and vibrant environment 24 hours a day and 7 days per week. An objective of the HDIP Zone is that new residents in the downtown's previously commercial center will create a vital and vibrant downtown, outside of normal business hours, in the evenings and on weekends, and promote the stability of the downtown neighborhood.

It is anticipated that specific objectives for each of the goals described above will include the promotion of upper story housing development in downtown buildings; the rehabilitation of historic buildings; and the generation of new tax revenue. For instance, it is estimated that the Housing Development Incentive Program will produce 39 new market rate housing units within the first five years and an additional 25 new market rate housing units during the twenty year duration of the HD Zone Plan. It is estimated that the Housing Development Incentive Program will produce projects that will rehabilitate 2 historic buildings during the first five years of the program and the rehabilitation of an additional 4 historic buildings during the twenty year duration of the program. The Housing Development Incentive Program will generate an estimated \$ 260,700 of additional tax revenue for the City of Pittsfield within the first five years and an estimated \$600,000 in new tax revenue during the twenty year duration of the HD Zone Plan.

Public and Private Construction and Related Activities-

In the 1990's, Pittsfield's downtown was identified as a major obstacle to economic development. Downtown Pittsfield became critical to changing the community and regional image of the City and a key to building the City's role in the regional cultural economy. Some crucial commitments and partnerships have helped the City in developing the downtown. These are the creation of the Downtown Arts Overlay District, key investments in four downtown cultural projects, and a large scale streetscape project.

As discussed previously, the Downtown Arts Overlay District was a formal amendment to the City's zoning ordinance, it overrode existing complex underlying zoning and encouraged creativity in the reuse of vacant spaces. As a result, the streamlined permitting process allowed the City to keep control of development and sent a message to building owners and investors that the city was serious about its redevelopment efforts.

Key investments in four downtown cultural projects, Colonial Theater, Barrington Stage, Beacon Cinema and the Berkshire Museum, played another critical role in redeveloping downtown. These projects are as follows:

- Barrington Stage Company (BSC) is a non-profit professional theater company founded in 1995 that was already established in southern Berkshire County. The theater company's focus is to produce and develop theater productions and engage audiences, especially youth. The company generates about 45,000 attendees each year. BSC made a decision to purchase a 520-seat former vaudeville and movie theater building in downtown Pittsfield in July 2005. BSC approached the City for support from the Pittsfield Economic Development Fund, an economic development discretionary fund under the City's control. They sought \$500,000 for renovations to the balcony area, which would add two hundred seats to the theater.
- The Berkshire Museum is an established institution that draws 75,000 – 95,000 visitors each year, has a \$2.1+ million annual budget, and employs 19 full-time and 14 part-time people. More than 12,000 students per year participate in their science education programs. The Museum's needs for substantial physical improvements to their building and related infrastructure coupled with a desire to be an active participant in the expanding cultural scene in downtown Pittsfield resulted in a major capital project. Facility improvements were broken into three phases. Phase I included roof repairs. Phase II involved upgrades to HVAC for climate control and the creation of a new exhibit hall focused on innovation. Phase III plans consisted of classrooms, aquarium and visitor amenities. The Museum embarked on a \$10 million capital campaign to fund phases I and II of its improvement plan. The Kresge Foundation awarded \$500,000 as a challenge grant if Berkshire Museum could raise the remainder of the funds. The Museum sought \$900,000 from the Pittsfield Economic Development Fund to meet the Kresge challenge and fill the remaining funding gap to complete phases I and II of their capital campaign.

- **Beacon Cinema** The 75,000 square-foot renovation of North Street's historic Kresge-Kinnell buildings into six stadium-style theatres, restaurant, and retail and office space was completed in 2010. A variety of private and public funding sources were required to complete the financing of the \$23 million project. The funding sources for the Cinema Center project included: \$1.5 million from the Pittsfield Economic Development Fund, \$1 million from the Massachusetts Office of Travel and Tourism, \$192,758 from Pittsfield's Community Development Block Grant, \$6,551,659 in New Markets Tax Credits through Massachusetts Housing Investment Corporation (MHIC), \$2,944,725 from awards of \$3.38 million in State Historic Tax Credits through the Massachusetts Historical Commission, \$4.6 million from the bank consortium, \$4,418,968 in Developer Equity, Operating Reserves, Escrow Interest, Development Fee Note Payable – Subordinated, \$1 million Community Development Action Grant (to the City of Pittsfield) \$825,000 Massachusetts Growth Districts Initiative Grant (to the City of Pittsfield). In addition, the City of Pittsfield supported the project with a Tax Increment Financing (TIF) plan that allowed the incremental increase in taxes to be phased in during a nine year period.

- **Colonial Theater** The 1903 Colonial Theatre was a popular vaudeville theater known as “one of the greatest acoustical houses in the entire world.” The theater was named a National Historic Treasure in 1998 and an ambitious restoration project occurred. Following the restoration, there was a public grand opening of the 810-seat theater in August 2006. Funding for the Colonial Theatre restoration project included:
 - Individual and Corporate Donations - \$5,333,099
 - Save America's Treasures grant in 2000 - \$400,000
 - Federal Earmark (Senator Kennedy) - \$193,000
 - Federal Historic Tax Credits (as MHIC Equity) - \$3,000,000
 - Federal New Markets Tax Credits (as MHIC Equity) - \$4,244,436
 - Sale of \$1.6 million in State Historic Tax Credits - \$1,457,000
 - Massachusetts Development Finance Agency (MassDevelopment) - \$56,465
 - Massachusetts Historical Commission - \$2,500,000
 - Massachusetts Department of Administration and Finance - \$2,500,000
 - Massachusetts Office of Travel and Tourism - \$1,000,000
 - Massachusetts Technology Collaborative - \$20,000
 - City of Pittsfield Economic Development Fund - \$1,000,000
 - City of Pittsfield Community Development Block Grant (CDBG) - \$170,000

Total Colonial Theatre Project Development Sources - \$21,874,000

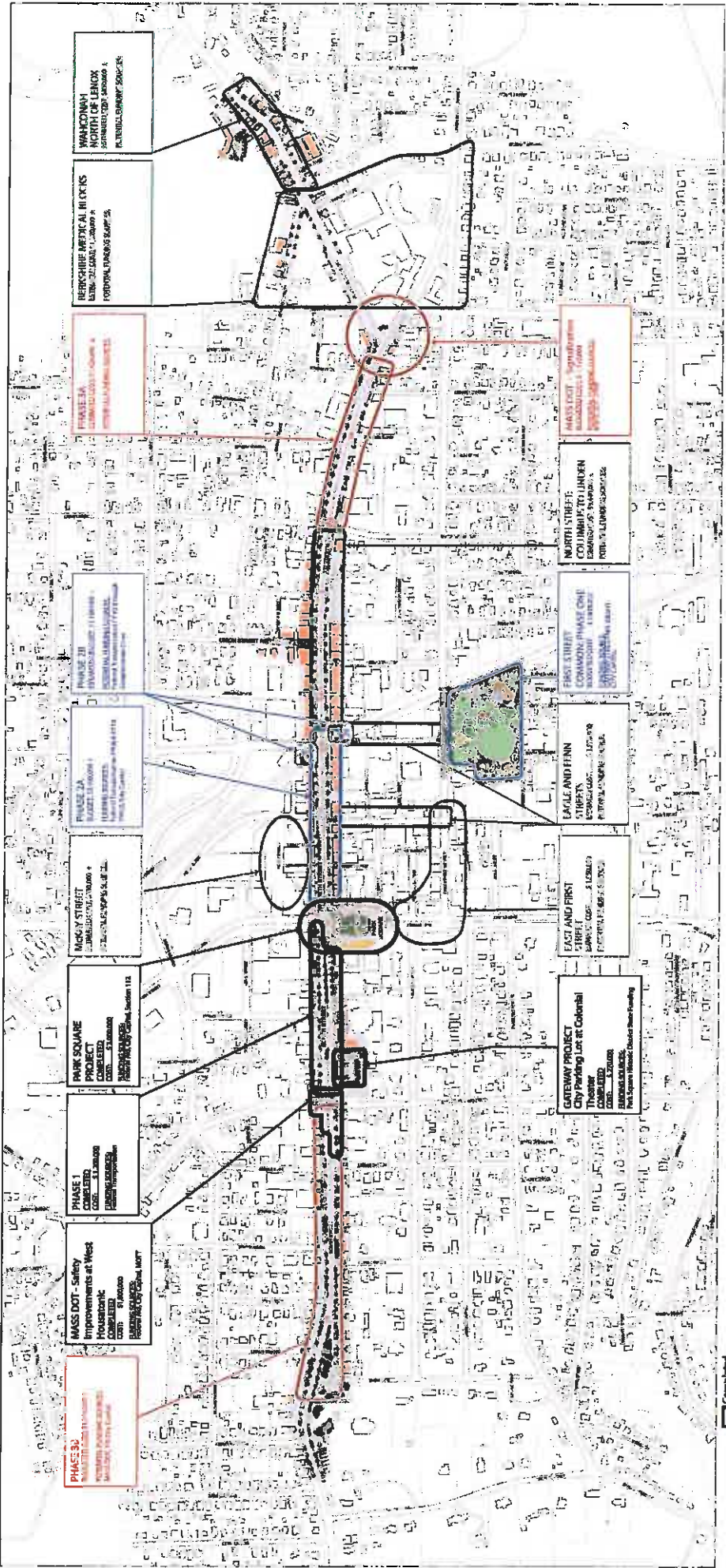
The City of Pittsfield also funded the development of a public parking lot adjacent to the Colonial Theatre. \$750,000 from a 2003 transportation bond bill was used to acquire the parcel, relocate a business, demolish structures and build the thirty-nine space public parking lot.

Third, the development of a comprehensive downtown streetscape program was fundamental to making downtown an attractive place to live work and play. Streetscape is a multi-phased, multi-million dollar improvement project. The project focuses on South and North streets and will extend from Memorial Park on South Street to Wahconah Park toward the upper end of North Street. There are a number of distinguished landmarks within the project area including Park Square, The Colonial Theatre, Berkshire Museum, Barrington Stage, Berkshire Medical Center and The Intermodal Transportation Center. This downtown corridor is not only the center of business and government for the County, but also a representation of the creativity and diversity of the Pittsfield Community. The goals of the Streetscape Improvement Program are as follows: to improve pedestrian safety, circulation and comfort; to stimulate economic development; to incorporate culture, heritage and history; enhance aesthetics and reduce traffic bottlenecks. The Streetscape Improvements include new sidewalk treatments, special planting areas and trees, new bump-outs at crosswalks, new ornamental lighting, increased parking spaces, bike racks, benches, trash and recycling receptacles, and public art spaces. The total estimated budget for the streetscape improvements exceeds \$11 million dollars and has four phases, phases with components ranging in size from \$500,000 to \$2 million, of which the City is currently in the final phase. The City was awarded two federal grants through Congressman Olver. In 2006 a total of \$1,850,000 was earmarked to fund Streetscape Phase One, from East Housatonic Street to Park Square and \$1,400,000 was earmarked in 2007 to fund Streetscape Phase 2, from Park Square to Depot Street. In addition to the federal funding, the Massachusetts Office of Travel and Tourism awarded the City a \$300,000 Gateway Grant. This funding was designated specifically for streetscape enhancements to the historic gateway of the City. In addition, City Capital Reauthorization Funding in the amount \$450,000 was used for design work for Streetscape Phase Two. (Attachment -Streetscape Phasing)

These efforts have already resulted in 400,000 people coming to downtown each year, over 45 new business and restaurants in downtown, over 70 units of market rate housing, and \$100,000,000 in private investment in the downtown.

City officials expect that improvements similar to those described above will continue with the adoption of the HD Zone and HD Zone Plan as developers take advantage of the tax incentives offered by the Commonwealth's Housing Development Incentive Program. As described previously, Allegrone Construction, Inc. has proposed to rehabilitate two historic buildings within the HD Zone to create a total of 39 market rate housing units at an estimated cost of \$11 million. Allegrone Construction has already been awarded a portion of the necessary historic tax credits to help finance this project. Additionally, the City will pursue additional funding to continue its Downtown Streetscape project which is also located within the HD Zone. The City also has a public art program called Artscape which will also serve to enhance open areas within the HD Zone throughout the next few years. As mentioned previously, inquiries have also been received by City officials regarding other possible HDIP rehabilitation projects located within the HD Zone. Specifically, these projects could include the Plunkett School building and a second building called White Terrace. With the recent and future revitalization of the City's downtown, many restaurants and specialty stores have been established and the assumption is that these types of establishments will continue to develop as the downtown area continues to improve and attract more residents.

City of Pittsfield
STREETSCAPE PHASING



- Completed
- Funded
- Future - In Design
- Future - Long Range

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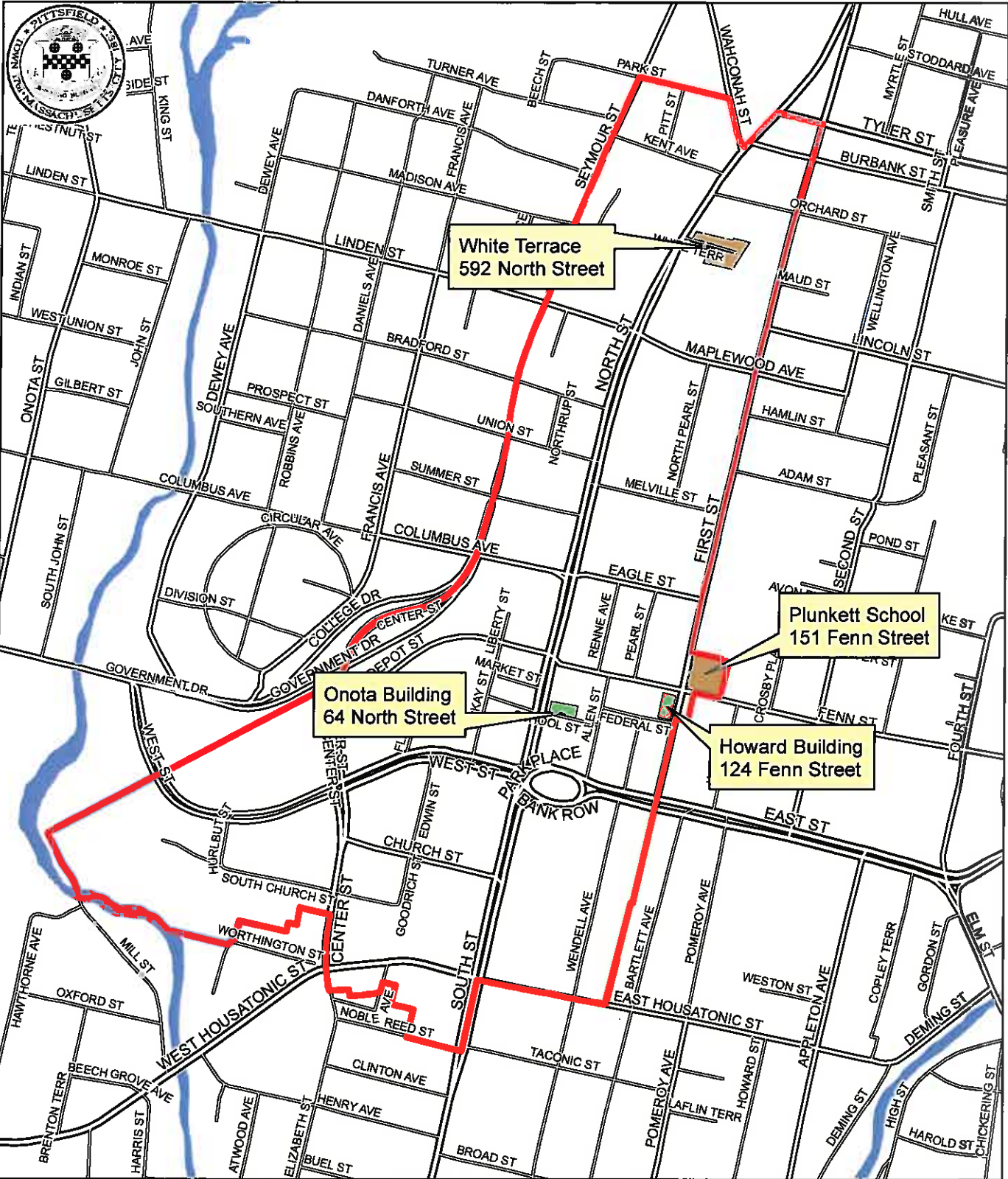
City of Pittsfield
2023

Information about Developer – Section 66.04(2)(b)

The developer of the Howard Building and the Onota Building is Allegrone Construction, Inc. Allegrone Construction, Inc. is a vertically integrated Real Estate Owner, Project Operator, Construction Developer and Construction Management Company. Founded in 1921, the Company includes multiple divisions and offers a diverse level of service and expertise. Allegrone Construction, Inc. Real Estate is a private development and management company with a diversified portfolio of properties that include market-rate apartments, commercial office and retail space. In addition, Allegrone Construction, Inc. provides strategic real estate services to for-profit and non-profit clients, housing authorities, redevelopment agencies, as well as community-based organizations. As construction managers and general contractors, Allegrone Construction, Inc. is a full-source construction provider, with extensive experience in complex restoration and renovation projects, coordination of phased construction, new construction, mixed-use construction, and fast-track construction projects in all segments of the market. The company's high-end residential division, Allegrone Construction, Inc. Home Builders, services range from custom single family developments to independent architect-designed estate residences. Allegrone Construction, Inc. Masonry brings the unique expertise of historic restoration and preservation to new masonry construction. The Allegrone Construction, Inc. Team brings every project the invaluable benefit of over 90 years of technical construction experience.

Maps – Section 66.04(2)(c)

Map 6- Proposed and Potential Housing Development Projects



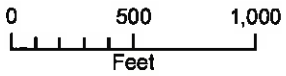
- Housing Development Incentive Program Zone
- Proposed Housing Development Projects
- Potential Housing Development Projects

City of Pittsfield Housing Development Incentive Program

Proposed and Potential Housing Development Projects



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HD Projects – Section 66.04(2)(e)

The proposed housing development projects, The Frank Howard Building (14 units) and the Onota Building (25 units), are eligible to receive a Preliminary Certification pursuant to 760 CMR 66.05(2).

Market Rate Residential Units – Section 66.04(2)(f)

According to the Citywide ACS Bureau of the Census, the median household income for the City of Pittsfield, which for the purposes of this plan, represents the Housing Development Pricing Area (“HDIP Pricing Area”), is \$43,188 per year. For the purposes of this plan, \$43,188 is also the HDIP Area Household Median Income (HDIP AMI). 110% of the \$43,188 is \$47,506, which is the Target Median Household Income. The HUD Pittsfield area 60% income limit for two persons is \$41,400. This income satisfies the M.G.L. Chapter 40V HDIP Implementation Guidelines that states that 110% of the median household income for the HDIP Pricing Area must be greater than 60% of the median household, as determined by HUD.

Census Tract 9001, where the subject property is located, has a median income of, \$19,712. Therefore, it can be concluded that the Target Median Household Income of \$47,506 is at a level that will allow the HD Plan Zone to increase residential growth, expand diversity in housing stock, support economic development and promote neighborhood stabilization by attracting wealthier households from the surrounding Census Tracts and towns into downtown Pittsfield. This will be accomplished by the Onota and Howard Building Project providing high-quality, convenient rental housing close to the many cultural events and opportunities available in downtown Pittsfield.

The methodology for setting the rents is laid out in the *Housing Development Incentive Program Market Study for Downtown Pittsfield Apartments*. The market study revealed that households within the HD Zone paying 30% of their income towards rent would have an approximate monthly rent of \$1,183, adjusted for household size and unit size. This monthly rent is within the range of asking rents for the Onota and Howard Building Project. At this point in the process, Allegrone Construction, Inc. projects the rents at the Onota Building to be \$1,161 for a one bedroom unit and \$1,398 for a two bedroom unit. The projected rents at the Frank Howard Building are \$1,061 for a one bedroom unit and \$1,248 for a two bedroom unit. Taking into consideration utility adjustments, unit size and level of finishes, these rents are well within the range of rents currently charged within the HD Zone.

Timeline and Duration – Section 66.04(2)(g)

The City of Pittsfield anticipates that its HD Zone and HD Zone Plan will be approved by the Commonwealth's Department of Housing and Community Development (DHCD) sometime during July 2012. The proposed Housing Development Zone Plan shall last for twenty years from the date of DHCD's approval of Pittsfield's Housing Development Zone Plan. There is one project, consisting of two separate buildings, within the HDIP Zone Plan, that is shovel ready and will immediately apply for Tax Increment Exemptions. It is estimated that this project by Allegrone Construction, Inc. will be started in late 2012 and completed by September 2014.

As mentioned previously, the Plunkett School property is a former school building that is located in the HDIP Zone. Recently the Pittsfield Historic Commission voted to delay the demolition of the building until development interest can be explored. Several developers are looking at the property currently and the HDIP program would be a valuable tool for the City as it tries to save this historic building from demolition. This would be a project the City hopes to see underway in the second five years of the HDIP Zone. Longer range planning goals of the HDIP Zone would be for market rate housing to be developed in the 40R sites that are located within the zone. These would be specifically White Terrace and the Paul Rich and Son's Building. These projects would be anticipated to be underway in later 5-10 years of the HD Zone Plan.

Compliance with Fair Housing Obligations – Section 66.04 (2)(h)

The City of Pittsfield will advance its affirmative fair housing obligations by the creation of the Housing Development Zone. Both the City's 2005 and 2009 Analysis of Impediments to Fair Housing (AI) were prepared for the City by the Massachusetts Fair Housing Center. The analysis of impediments is an exploration of housing related policies and practices in use in Pittsfield that inadvertently or deliberately prevent people from living where they choose.

The 2005 Analysis of Impediments found that one of the impediments to fair housing in Pittsfield was that "There are significant disparities between the urban core and the rest of the city for virtually every measure of income available." With the recent constructions of two new affordable housing developments in the City, the urban core is in need of market rate housing units to address the balance of housing stock. The Housing Development Incentive Program would help to address these disparities. Creating both affordable and market rate housing in the urban core helps to create opportunities for all residents and to prevent pockets of the City from being segregated by income mix. A diverse mixed income community, especially in the City's urban core, is a healthy vibrant community that has no trouble attracting new residents and maintaining the residents it already has in place.

One of the recommendations of the 2009 Analysis of Impediments was for the City to "Promote the renovation and rehabilitation of multi-family homes by providing tax incentives and/or information on capital improvements, energy efficiency and smart growth initiatives." The HDIP would further assist the City in achieving this goal by allowing the City to offer incentives to property owners who wish to renovate their property in compliance with the principals of smart growth. In the past, the City has had no incentives to offer developers who wish to create market rate housing and has had to allow the market to dictate the feasibility of market rate units in the downtown. In the past there has been a strong demand for such units. Indeed since its inception in 2005, the Downtown Arts Overlay District has permitted 70 units of market rate housing and two creative economy textile companies in the same zone that the HDIP proposes to use. The Downtown Arts Overlay District provides a streamlined permitting process and HDIP would allow the City to offer a local tax incentive as well as allow developers to take advantage of the state tax credit. With the lending market tightening and less funding through public programs to go around, a local and state tax incentives will make a critical difference in creating market rate units within the downtown district. The Housing Development Program and Zone will be a helpful tool in advancing the fair housing goals of the City of Pittsfield.

Compliance with Local Plans – Section 66.04(2)(i)

A creation of a Housing Development Zone and participation in the Commonwealth's Housing Development Incentive Program conforms to recent City planning efforts. In 2005, the American Institute of Architects chose Pittsfield as one of three communities in the nation to study and propose smart growth strategies. A major finding of this report was Pittsfield's downtown had relatively few residents and that a city without residents in the downtown will lack vitality and energy. AIA also found that construction and development incentives needed to focus on downtown residential development. As a result of these planning recommendations, Pittsfield set into place the Downtown Arts Overlay District. Previous City zoning included regulations that limited many downtown buildings to only commercial purposes and prohibited residential housing on upper floors. Since the approval of the Downtown Arts Overlay District, projects developing new downtown residences have blossomed in the form of new apartments and condominiums, and in turn, businesses looking to cater to the increase in foot traffic the projects are creating have increased. Currently the Downtown Arts Overlay District is in place to encourage use of upper story development and has created 70 units of market rate housing and 2 creative economy textile companies. Indeed there has been a strong demand for recently developed upper story housing on North Street and nearby streets. Along with the Downtown Arts Overlay district, a 40R, and an Urban Center Housing Tax Incentive District were put in place for some downtown sites. The HDIP and the HD Zone would be a fourth incentive package available for prospective developers interested in creating market rate housing in the City's urban core.

In 2009, the City of Pittsfield's Master Plan was accepted by the City's Community Development Board. This master plan, created with extensive involvement of citizens, business leaders, public officials and planners, describes a vision for Pittsfield's growing and revitalized future – a bustling economic center amidst the beauty of the Berkshires – a community wanting to thrive. The Housing Development Incentive Program goals are in alignment with the goals and recommendations of the City's Master Plan. Participants in a city wide forum about housing and neighborhoods stated that one of the major challenges for the City is that there was no quality housing to attract workers, especially the creative class. One of the housing goals in the Master Plan is to provide a diversity of housing choices to attract people in all stages of life, going on to further state, "Across the city, there also needs to be a provision of housing for different income levels. Pittsfield's economy and social structure requires a variety of people to thrive – and they all must have affordable, safe, and vibrant places to live."

Another of the housing goals set out in the Master Plan is to raise the quality of housing stock. The Master Plan states "There are many historic buildings that have the potential to provide high quality housing in already developed areas and may be more affordable than new construction. As downtown living is becoming more fashionable across the nation, it is particularly important to raise the quality of stock near North and South Streets – these places could end up being the most attractive to new residents."

There are several strategies set out in the Master Plan to address issues of housing quality, affordability, and neighborhood development. The Housing Development Incentive Program would help the City pursue these strategies. The first strategy is to ensure an adequate supply of quality

and affordable homes for current and future residents of Pittsfield. In terms of housing quality, the plan suggested that “the workforce for new business will need affordable and quality housing units. Sometimes a community will have an abundance of affordable units but they will not be of the quality that will attract entrepreneurs and workers.” The Housing Development Incentive Program would be a key strategy to assist the City in acting upon this recommendation.

Another of the suggested strategies from the Master Plan is to create tax incentives and grant programs for the preservation of both residential and historic buildings. According to the community survey undertaken as part of the master planning process, Pittsfield’s historic character is an important factor to its residents. With this in mind, the Master Plan states “Creating mechanisms to save and rehabilitate older structures will preserve Pittsfield’s character and enhance its downtown-allowing the city to keep its unique sense of place.” The plan further suggests that the City should explore sources of funding that promote the rehabilitation of historic and older buildings in the downtown area. The Housing Development Program is one of these funding sources and its goals align perfectly with this strategy taken from the City’s Master Plan.

In 2008, Pittsfield was one of eighteen communities to receive a grant under DHCD’s Gateway Action Grant program. The program’s intent was to assist gateway cities identify their specific housing or mixed-use development needs to enhance their economic vitality and quality of life for all residents. The City of Pittsfield engaged a consultant, GLC Development Resources Inc., to prepare a Housing Needs Analysis and development recommendations for the Westside, Morningside and Downtown neighborhoods. Specifically the report aimed to develop an inventory of existing housing and conditions in the City’s urban center and two surrounding neighborhoods; to identify housing needs in those neighborhoods; conduct an evaluation of housing opportunities to meet those needs; and develop an action plan for both neighborhoods. One of the policy needs found in the study is to “Create new amenities to renew interest in the neighborhoods by targeting young people interested in a less expensive lifestyle who would be attracted to an urban location in a Berkshire setting, as well as older people interested in a second home or retirement home in an improving community.” The physical housing needs of these neighborhoods were determined to be larger bedroom (2-3 BR) rental units which are code compliant. These larger bedroom units could be obtained through rehabilitation of existing and distressed properties, and where possible, through subsidized new construction. The Gateway Study also found that “The City’s enactment of housing programs like 40R and the Urban Housing TIF program provide some of the needed incentives to existing property owners and potential developers to invest in rehabilitating or building new housing units in the city’s urban center.” As a result of discussions with the neighborhoods and key stakeholders, the study found a key goal for the City was to support market rate or mixed-income redevelopment of existing property. As reflected in these findings, there is a strong need for incentives to encourage the development of the type of housing that is in demand in the City.

The final recommendations of the study include: “Rehabilitated and/or new construction homes which appeal to younger households and retiree and empty nester households who are currently buying property or renting in other parts of the City, specifically: Market or mixed-market and affordable rental development involving existing buildings.” The Housing Development Incentive Program aligns with the recommendations made in the Gateway Housing Study.

Another of the City's recent planning efforts, the City's Five Year Consolidated Plan (2005-2010), reiterates the need for housing development incentive programs. The Five Year Consolidated plan states "Considering pricing and rents in Pittsfield there is currently little incentive for private sector developers to invest in such projects, particularly in the more urban neighborhoods. This further establishes the need for establishing and/or pursuing financing and "subsidies" for the development of market rate and affordable housing." As is evident from the City's recent planning efforts, the ability to incentivize the production of market rate units in the downtown will greatly increase the diversity and quality of the City's housing stock, support economic development and encourage neighborhood stability.

