

BERKSHIRE REGIONAL PLANNING COMMISSION  
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NATHANIEL W. KARNS  
Executive Director

**APPROVED MINUTES OF THE BERKSHIRE REGIONAL PLANNING COMMISSION MEETING**

**Thursday November 16, 2017  
At BRPC Office**

**I. Call to Order**

**A. The meeting is called to order at 7:00 PM**

Chair Kyle Hanlon reminded all per the open meeting law, BRPC records all meetings. Others may record the meeting after informing the chair. Any documents presented must be left with the chair at the meeting.

**B. Introductions/Roll Call**

The following Commission members are present:

Robert Ronzio – Becket Delegate  
Peter Traub – Cheshire Delegate  
Gregory Cherin – Egremont Delegate  
Buck Donovan – Lee Delegate  
Pam Kueber – Lenox Delegate  
Pat Salomon – Monterey Delegate  
James Mullen – New Marlborough Delegate  
Kyle Hanlon – North Adams Delegate  
Sheila Irvin – Pittsfield Delegate  
CJ Hoss – Pittsfield Alternate  
Roger Kohler – Sandisfield Alternate  
Rene Wood – Sheffield Alternate  
Carole Owens – Stockbridge Alternate  
Mark Curtin - Tyringham Delegate  
Sarah Hudson – Tyringham Alternate  
Dana Bixby – West Stockbridge Delegate  
John Garcia – Windsor Delegate

Staff Present:

Nathaniel Karns – Executive Director  
Marianne Sniezek – Office Manager  
Clete Kus – Transportation Program Manager

Others Present:

Kate Fletcher – Stockbridge  
Peter Taylor – President, Berkshire Taconic Community Foundation  
Jim McGrath – Pittsfield's Park, Open Space and Natural Resources Program Manager

**C. Approval of Minutes September 28, 2017 Meeting**

Carole Owens moved to approve; Pam Kueber seconded by. Unanimously approved with 5 abstentions.

**II. Comments from the Public – None**

**III. Delegate & Alternate Issues** - Pam Kueber reported the town of Lenox has had two Community forums on Short-Term Rentals. The information will be on Lenox's website.

Kyle asked if any Delegates or Alternates have any topics for educational trainings please contact Nat or Kyle.

**IV. Draft Massachusetts Freight Plan – Consideration of Comments**

2017 Draft Massachusetts Freight Plan is now available for comment until December 6<sup>th</sup>. The Massachusetts Department of Transportation's (MassDOT's) Freight Plan is a strategic planning document that will define a short and long-term vision for the freight system in Massachusetts. The Plan is multi-modal; including air, rail, truck and maritime transport. It also includes intermodal; transportation by more than one mode, such as trips using truck and rail. Transportation Program Manager Clete Kus presented an overview of the plan and how it applies to Berkshire County.

To review the draft plan go to:

<http://www.massdot.state.ma.us/planning/Main/StatewidePlans/FreightPlan>

Clete explained the Massachusetts Freight System will:

- Be safe, secure, and resilient.
- Improve the condition of key freight assets
- Improve the economic competitiveness of Massachusetts
- Support healthy and sustainable communities
- Provide efficient mobility

The plan map shows the bottlenecks, the major Urban and Rural Freight corridors and other major roads. The comment letter addresses the importance of rural freight corridors to manufacturing and commercial businesses.

Clete explained the implementation of strategies for improving the condition of freight networks, building or expanding truck stops, upgrading rail lines to a 286K standard and resolving bottlenecks on highways. Other strategies are to address the shortage of truck driver professionals, the reduction of CO2 emissions, work with neighboring states to standardize overweight and oversized vehicle regulations and to coordinate freight planning in neighboring states.

The plan also indicates who the proponents are, what the funding sources are, the Project Selection Advisory Committee's (PSAC) criteria and who would be responsible for the management of the work.

Clete responded to a question on funding and stated MassDOT would encourage funding from private railroad companies.

Take Aways

- Improve the safety, security, efficiency, and resiliency of multimodal freight transportation;
- Achieve and maintain a state-of-good-repair on the Network;
- Improve the economic efficiency and productivity of the Network;
- Improve the reliability of freight transportation;
- Improve the flexibility of States to support multi-State corridor planning and the creation of multi-State permitting; and
- Reduce the adverse environmental impacts of freight movements on the Network

Comment Letter Recommendations

- Improving conditions of freight network (infrastructure)
- Additional funding to improve infrastructure (roads and bridges)
- Priority funding available for local projects. Ex: Rte 20 in Lee is managed by Lee using Chapter 90 funds. Lee would get a competitive boost for other funds available for road projects that benefit the National Freight System.
- Upgrading rail lines to 286K standard
- Electrify truck stops to assist with GHG emission reduction

Kyle asked for a motion to endorse the BRPC's comment letter.

Jamie Mullen made a motion to endorse the Massachusetts Freight Plan comment letter as presented; seconded by Pat Salomon. Unanimously approved.

## **V. A Closer Look – Berkshire Taconic Community Foundation’s Study of Pressing Needs in Its Four-County Region**

Peter Taylor, President of the Berkshire Taconic Community Foundation, presented BTCF’s report: “A Closer Look.” In preparing this report, BTCF wanted to gather a set of data and have a series of deliberate discussions to hear directly from a diverse range of residents. They wanted to know from their perspectives what is most important for improving lives, what challenges they face and what is keeping them in — or causing them to consider leaving — this extraordinary region. Working with a research partner, BTCF held a dozen focus groups, launched four online surveys and reviewed existing data and reports. “A Closer Look” results from that process.

*To review the report, go to:*

<http://www.berkshiretaconic.org/bLearnAboutBTCF/OurInitiatives/ReportACloserLook>

Peter reviewed the region’s assets, strengths, jobs, the economy, demographic transitions, youth and the future workforce, the deepening inequality, infrastructure and looking ahead.

### Interesting Facts

- More than 1/3 of residents who would consider moving cited the lack of available jobs.
- 60% of resident’s report challenges accessing job opportunities for themselves or a family member.
- 44% of residents under age 46 answered “yes” or “maybe” when asked if they are considering moving in the next 3 years.
- 23% cited limited options for their reason to consider moving.
- 60% of residents reported that addressing workforce skills needs is extremely important.
- More than 1/3 of people without a college degree reported difficulty accessing job opportunities for themselves or a family member.

Jamie commented there is a new class for the census for people who are doing okay but one devastation could change and put them into poverty. Wages have not increased to allow for money to be saved for an emergency.

Peter talked about the Cliff effect. People who are on benefits then make more money and then end up losing benefits. The benefits lost are more than the additional income. The Cliff effect is it is not worth making more money and holds people back from improving their lives.

Peter announced access to the data is on Berkshire Taconic's website.

Kyle thanked Peter for his presentation.

## **VI. Current Regional Topic - Pittsfield’s Polystyrene Ban**

Jim McGrath, Pittsfield’s Park, Open Space and Natural Resource Program Manager, presented an overview of Pittsfield’s polystyrene ban, the challenges the city faced and the strategies used to get it adopted, as well as the issues that have arisen since it was passed.

Jim discussed Pittsfield’s experience with their polystyrene ban for prepared food. Pittsfield is not the only city or town to have a ban. The Pittsfield ban started with a citizen petition. The Green Commission had many meetings and public hearings. The City Council adopted the ban in the Fall of 2015 and the ban went into effect 6 months later.

### Two Forms for Polystyrenes

1. Foam cups, bowls, plates and clamshell containers.
2. Solid hard rigid polystyrene products - red solo cups, plastic salad bar containers.

### Decisions to be made on

Should we ban all or some? Who will enforce the ban? Do we ban it for both businesses and private institutions (schools)? How long should the grace period be?

### Green Commission Discussions

Polystyrene is a reasonably anticipated to be a human carcinogen, does not break down in landfills, is not recyclable, a non-renewable resource, can harm or kill marine and wildlife and is a contributor to urban litter problems. There are other affordable options for retailers. It was decided the position of the Green Commission it would be in the best interest of the health and welfare of the City to ban polystyrene.

### Prohibition

A food establishment is prohibited from dispensing prepared food to customers in disposable food service containers that are made in whole or part from expanded polystyrene.

### Allowable

- The definition does not include single use disposable utensils, nor does it include single-use disposable packaging for unprepared food.
- Construction Materials

### Deferments

By application, subject to review by the Board of Health, up to one-year deferment would be allowed

### Enforcement

Board of Health

Penalties – written warning, \$25, \$50

### Effective Date

6 months out from passage

### Issues to Date

- Few Issues, very little grumbling, Some confusion on clear clam shell containers.
- Ordinance did not specify rigid polystyrene

### Resources

[www.massgreen.org](http://www.massgreen.org)

Google – internet has a lot of information

### Next Steps for Pittsfield

Look at banning rigid containers and plastic bags.

Kyle thanked Jim for his presentation.

## **VII. Short Term Rental Legislation – Consideration of Comments**

The Regional Issues Committee has been considering the various issues involving short-term housing rental legislation over the past several months. The Committee has proposed comments to be sent to the legislature.

Kyle thanked Pam Kueber and Gwen Miller for their efforts and bringing information to the Regional Issues meetings.

Jamie commented the letter addresses the issue for common standards needed for building, health and fire codes and asks that municipalities have the authority to regulate land use.

Pam Kueber agreed it was a well written letter and would like to abstain from the endorsement of the letter due to citizens committee forums on policy recommendations regarding Short-term rentals in Lenox.

Robert Ronzio made a motion to endorse the Short-Term Rental Legislation Comment letter as presented; seconded by Sheila Irvin. Unanimously approved with 3 abstentions.

## **VIII. Approval of Executive Committee Actions between September 28 and November 16, 2017**

Jamie Mullen moved to approve the Executive Committee actions between September 28 and November 16, 2017; seconded by Sheila Irvin. Unanimously approved with one abstention.

## **IX. Status of Executive Director Search Committee Efforts**

Kyle announce the job has been posted on BRPC's website. Kudos to staff who created a colorful sales brochure to entice applicants. At the next meeting the committee will determine the criteria to be used in screening resumes. The committee will begin reviewing resumes around December 15<sup>th</sup>. Nat explained a head hunter was not used due to the cost. Kyle explained Berkshire County is very unique, and a head hunter would not understand. Nat explained other RPA's did not get the value for the money spent when they used a head hunter. The position has been advertised on BRPC's website, the Berkshire Eagle, American Planning Association, State and New England Regional Planning Chapters, and International City/County Management Association.

## **X. Executive Director's Report**

### **A. 5<sup>th</sup> Thursday Dinner for Planning and Zoning Boards – November 30<sup>th</sup>, Mazzeo's, Pittsfield**

What's Happening in Berkshire Communities is the topic for the November 30<sup>th</sup> 5<sup>th</sup> Thursday Dinner which will be held at Mazzeo's on South Street in Pittsfield. This will be an informative evening with local planners who will talk about key planning initiatives in their communities. A copy of the dinner announcement was attached. Please register for the dinner at <https://www.eventbrite.com/e/fifth-thursday-dinner-tickets-39525261120>.

Nat encouraged anyone who has not signed up there is still time to do so.

### **B. Efficiency and Regionalization Grant Opportunity from Division of Local Services – application deadline November 16, 2017**

The Division of Local Services has issued a Request for Responses to the FY 2018 Efficiency and Regionalization Grant Program which provides financial support to governmental entities interested in implementing regionalization and other efficiency initiatives that allow for long-term local government sustainability. This has been a valuable source of assistance for projects in the region, particularly ones that were municipal/state commitments under the Community Compact program. The application period opened on October 16<sup>th</sup> and closes on November 16<sup>th</sup>. For further information, go to: <https://www.mass.gov/efficiency-regionalization-grant-program> or contact Executive Director Nat Karns at 442-1521, ext. 26 or [nkarns@berkshireplanning.org](mailto:nkarns@berkshireplanning.org).

### **C. Municipal ADA Compliance Grant Opportunity from Massachusetts Office on Disability – application deadline November 17, 2017**

The Massachusetts Office on Disability has issued a request for applications to the FY 2018 Municipal Americans with Disabilities (ADA) Improvement Grant Program. This is a great opportunity to get funds to develop an ADA Transition Plan or to carry out ADA improvements. The first round (typically there is a second spring round) deadline is November 17<sup>th</sup>. For further information on this program, go to <https://www.mass.gov/how-to/apply-for-a-grant> or contact Community & Economic Development Program Manager Pat Mullins at 442-1521, ext. 17 or [pmullins@berkshireplanning.org](mailto:pmullins@berkshireplanning.org).

### **D. Funding Available for Downtown Revitalization Technical Assistance from the Massachusetts Downtown Initiative Program/Department of Housing & Community Development – application deadline November 30, 2017**

Attached was a notice from the Massachusetts Downtown Initiative for technical assistance. For further information, go to <https://www.mass.gov/service-details/massachusetts-downtown-initiative-mdi>.

#### **E. District Local Technical Assistance Project Solicitation**

The solicitation for District Local Technical Assistance projects for calendar year 2018 will go out later this week to Select Boards, Planning Boards, Mayors, and Town Administrators/Managers. We will hand out the solicitation at the Commission meeting. Requests for assistance will be due back to **BRPC no later than December 15<sup>th</sup>**. For further information, contact Assistant Director Tom Matuszko at 442-1521, ext. 34 or [tmatuszko@berkshireplanning.org](mailto:tmatuszko@berkshireplanning.org).

Nat urged all to talk to himself, Tom or other staff with their ideas for projects. Staff will want to get started on new projects January 1, 2018.

#### **F. Congratulations to Stockbridge, Mount Washington, Pittsfield and North Adams on Successful MassWorks Applications**

To-date, four communities in the Berkshires have been awarded MassWorks grants for 2018. Stockbridge has received funding to assist in replacing the Rte. 183 bridge over Larrywaug Brook and Mount Washington has received funding to replace a failing culvert on East Road. Both were awarded as part of the Small-Town Road Assistance Program (STRAP) which is included in the overall MassWorks program. Pittsfield has received funding for an innovative project, in partnership with Central Berkshire Habitat for Humanity, to build six units of affordable housing on Deming Street. North Adams has received funding to finish the public infrastructure needed to support the Greylock Works project in the former Greylock or Cariddi Mill on Rte. 2.

#### **G. Other - none**

### **XI. Adjournment**

Jamie Mullen made a motion to adjourn; seconded by Sheila Irvin. Unanimously approved. Adjourned at 8:50 pm.

#### Materials distributed or presented during this meeting:

Meeting Agenda

Draft Meeting Minutes

Approval of Executive Committee Actions Memo

Executive Director's Report

5<sup>th</sup> Thursday Dinner Announcement

Downtown Revitalization Technical Assistance Program Announcement

Massachusetts Freight Plan Presentation

Draft Comment Letter Massachusetts Freight Plan

Berkshire Taconic Community Foundation Presentation and Catalog

Draft Comment Letter Short Term Rental Legislation

Pittsfield Polystyrene Ban Presentation