

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 · FAX (413) 442-1523
Massachusetts Relay Service: TTY: 771 or 1-800-439-2370
www.berkshireplanning.org

SHEILA IRVIN, Chair
RENE WOOD, Vice-Chair
GALE LABELLE, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNs, A.I.C.P.
Executive Director

MEETING NOTICE

There will be a meeting of the

EXECUTIVE COMMITTEE

on Thursday, May 2, 2013, 4:00 p.m.
at the Berkshire Regional Planning Commission Office
1 Fenn Street, Suite 201, Pittsfield, MA

AGENDA

- | | | |
|------|---|--------|
| I. | Call to Order & Open Meeting Law Statement | (4:00) |
| II. | Approval of Minutes of Executive Committee Meeting of April 4, 2013 * | (4:05) |
| III. | Financial Reports | (4:10) |
| | A. April Expenditures Report * | |
| | B. Accounts Receivable Report | |
| | C. Other | |
| IV. | Delegate & Alternate Issues | (4:20) |
| V. | Business Requiring Action | (4:30) |
| | A. Approval of Letter to DEP on Proposed Amendments to Various Regulations * | |
| | B. Approval to Submit Application to Massachusetts Department of Environmental Protection to the section 319 Water Quality Improvement Program * | |
| | C. Approval to Submit Proposal to Massachusetts Executive Office of Public Safety and Security for the Western Mass Sheltering Training project * | |
| | D. Approval to Submit Grant Application to the Federal Reserve Bank of Boston for Working Cities Challenge Grant * | |
| | E. Approval of Letter to DCR Regarding Request for Waiver of 120 Day Notice Requirement for Acquisition of 51 Acres in Otis * | |
| | F. Other | |
| VI. | Committee Reports | (4:55) |
| | A. Clearinghouse Review Committee – ENF for Lenox Sanitary Landfill Photovoltaic Project and Refresher on Committee Procedures | |
| | B. Regional Issues Committee – Land Use Reform Legislation – May 14th, 4 p.m., BRPC | |

- C. Other
- VII. Executive Director's Report (5:00)
- A. Report on New Contracts/Agreements
 - B. Approval of EPA Area-Wide Planning Grant for Town of Lee
 - C. Approval of Opioid Abuse Prevention Grant by DPH
 - D. 2014 District Local Technical Assistance Funding
 - E. 2013 Massachusetts Trails Conference – Saturday, May 4th, Devens
 - F. DHCD Planning & Community Development Conference – Tuesday, May 7th, Devens
 - G. 5th Thursday Dinner for Planning & Zoning Boards – Regulating Medical Marijuana - May 30th, Cork & Hearth, Lee
 - H. Improving Stream Crossings Workshops – Monday, June 17th, Berkshire Community College
 - I. Other
- VIII. Old Business (5:05)
- A. Status of Transfer of 501c(3) from Berkshire Learning Initiative to BRPC
 - B. May BRPC Meeting
 - C. Other
- IX. New Business (5:10)
- X. Adjournment (5:15)

* Items Requiring Action

Attachment: March Local Technical Assistance Report

City and Town Clerks: Please post this notice pursuant to M.G.L. Chapter 39, Section 23B

SHEILA IRVIN, Chair
RENE C. WOOD, Vice-Chair
GALE LABELLE, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNs, A.I.C.P.
Executive Director

DRAFT MINUTES OF THE EXECUTIVE COMMITTEE MEETING

Thursday, April 4, 2013

At the Berkshire Regional Planning Commission Office
1 Fenn Street, Suite 201, Pittsfield, MA 01201

I. Call to Order

A. The meeting is called to order at: 4:00 p.m.

Chair Sheila Irvin started the meeting by reading a statement regarding 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 of the meeting.

B. Roll Call:

Sheila Irvin, Chair
Rene Wood, Vice Chair
Chuck Ogden, Treasurer
Gale LaBelle, Clerk
Roger Bolton, Clearinghouse Review Committee Chair
Kyle Hanlon, At large

A quorum is present.

Others Present: Sarah Hudson – Alternate, Tyringham
Staff Present: Nat Karns – Executive Director
Marianne Sniezek – Office Manager

II. Approval of Minutes of Executive Committee Meeting of March 7, 2012

Kyle Hanlon moved to approve with Rene Wood added to roll call, Rene Wood seconded. Unanimously approved.

III. Financial Reports

A. March Expenditure Report

Nat Karns explained unusual expenses and the new check register with descriptions for expenses.

Chuck Ogden moved to approve, seconded by Kyle Hanlon. Unanimously approved.

B. Accounts Receivable Report – Staff continuing to follow up on aged receivables. West Stockbridge has denied payment for invoice #7 in the amount of \$660.62 for the MEMA-Hazard Mitigation Plan. Rene Wood and Chuck Ogden have agreed to contact West Stockbridge regarding payment.

C. Other – none

IV. Review of Commission Mission and Goals & Objectives – Focus on Issues Facing BRPC

Nat reviewed the Issues Facing BRPC document. Questions and opportunities:

- What can BRPC do to get away from 70% of our funding from Federal Programs?
- The State is providing fewer services. What services can BRPC provide?
- Housing – What can BRPC do on the planning side? Helping communities create Affordability Housing plans could be done.
- How can BRPC assist with the aging population issue and the housing issue?
- Services previously provided by volunteers to the communities, ie IT Support.
- E-Government - Need for electronic services like the On-line building permits.
- Mid-sized communities have very limited capacity for Economic Development. What is BRPC's role?
- Regionalization – BRPC start the conversation to regionalize opportunities, programs and services. Ex: Human Resource Department, IT and Procurement.
- Comprehensive planning opportunities from the Sustainable Berkshires Plan.
- Health and Wellness Planning opportunities due to the Affordable Care Act.
- There is a short term opportunity with the Chapter 90 money increase. An example is in providing pavement management services.
- Joint purchasing services.
- Joint procurement of engineering services and managing those services.

Rene sees BRPC's future is in services. Gale LaBelle believes the Affordable Care Act is a big opportunity for BRPC.

Sheila suggested forming a subcommittee with an Executive Committee member and one or two Delegates or Alternates.

Some suggestions for the subcommittee:

- What is BRPC's structure? Should the structure be changed away from the physical planning aspect (Land Use, Transportation and Environmental planning)? If BRPC only does the physical planning aspect then BRPC would be a much small organization and not be able to provide a fuller range of services for the region. Rene commented we still need to do the physical planning aspect.
- BRPC is a source of information. BRPC should charge for that information.
- Nat suggested maybe BRPC consider changes to the Local Technical Assistance Program.
- What work fits under the Community Assessment Money? What is beyond and what is the cost?
- Where is the revenue coming from? How does BRPC access that revenue?
- Contact the willing communities and ask them what are your needs and your challenges in the next 2 to 5 years. What can BRPC provide?
- Ask Elder Services what services they do not provide. What can BRPC provide?
- BRPC can fill in the gaps.
- Encourage coordination and cooperation
- Decide BRPC's purpose and range.

Anyone from the Executive Committee interested should contact Nat.

V. Delegate and Alternate Issues – None

VI. Business Requiring Action

A. Approval to Submit Grant Application to DPH to Advance Regional Sharps Collection Program *

Rene Wood moved to approve, seconded by Chuck Ogden. Unanimously approved

B. Transfer of 501(c)(3) from Berkshire Learning Initiative *

Nat explained the immediate savings would be in software purchases if we can procure them from as a non-profit (ex: \$12,000 vs. \$500 for MS Office and Adobe). It is not certain that this would be approved but we will need to affect the transfer of the non-profit and then file an application with the intermediary non-profit that offers the software with these discounts and get approved.

The initial cost is \$2,000 to \$5,000 for the transfer then there will be a small annual cost to maintain the non-profit. Depending on the level of financial activity by the non-profit, the annual costs would increase.

The steps are:

- Engagement letter with the lawyer who set up MAPC's non-profit
- Work on setting up the purpose with the lawyer
- Work on setting up the board and policies for the board
- Volunteers for the board
- The profit is not envisioned to have employees. BRPC employees could charge time to the non-profit for providing necessary services.
- Set up separate bookkeeping

For the next Executive meeting, Nat will provide more information from the other RPA's that have 501(c)(3)'s on their structure of their boards and if they buy software for the RPA's use.

Roger Bolton moved to approve, seconded by Gale LaBelle. Unanimously approved.

C. Merit Increases for FY 2014 *

Rene Wood moved to approve as outlined in the Executive Directors memo, subject to MassDOT approval, seconded by Chuck Ogden. Unanimously approved

D. Other – none

VII. Committee Reports

A. Clearinghouse Review Committee – ENF and proposed regulation changes by DEP – date not yet set

Roger reported Melissa Provencher has sent out a request to have a Clearinghouse meeting on 4/22 or 4/24. The meeting will be to review MassDEP proposed changes to the Wetland/Waterway/Water Quality & Wastewater Regulations and look at the ENF for dredging and dam repair at Stedman Pond in Monterey. Nat explained there are significant changes that need to be reviewed.

B. Regional Issues Committee – Land Use Reform Legislation – April 9th, 4p.m., BRPC

C. Commission Development Committee – none

D. Finance Committee – none

E. Transportation Committee – none

VIII. Executive Director's Report

- A. Report on New Contracts/Agreements**
- B. Berkshire Municipal Electric Purchase Aggregation Progress**
- C. Attorney General Review of Local Medical Marijuana Facility Actions**
- D. Approval of the Berkshire County Natural Disaster Mitigation Plan by FEMA**
- E. 2014 District Local Technical Assistance Funding**
- F. USDA Rural Development Workshop – Tuesday, April 9th, Pittsfield**
- G. 2013 Massachusetts Trails Conference – Saturday, May 4th, Devens**
- H. DHCD Planning & Community Development Conference – Tuesday, May 7th, Devens**
- I. 5th Thursday Dinner for Planning & Zoning Boards – Regulating Medical Marijuana - May 30th, Cork & Hearth, Lee**
- J. Improving Stream Crossings Workshops – Monday, June 17th, Berkshire Community College**
- K. Other - none**

IX. Old Business

- A. Status of Incorporating Berkshire Health Alliance & Berkshire County Boards of Health Association Staff into BRPC**
Nat explained the staffing will be unified between all three organizations. Laura Kitross will be the program manager reporting to Tom Matuszko. Two other staff will be more than part time and one will be part time off site flexible employees. The inspectors and the nurses will continue to be subcontractors. This will be effective July 1st.
- B. Other - none**

X. New Business

- A. May BRPC Meeting**
Nat explained we will need to adopt budget, housing discussions will continue and the TIP presented in final draft form. Roger asked we add what services BRPC provides.
- B. Other - none**

XI. Adjournment

Rene Wood moved to adjourn the meeting which was seconded by Gale LaBelle. The meeting was adjourned at 5:40 p.m.

Materials distributed or presented during this meeting:

Agenda
Minutes
Check Register
Aged receivables
Executive Directors Memo
Technical Assistant Memo
Issues Facing BRPC
Berkshire Taconic Community Foundation Rural Development Workshop Flyer
Planning & Community Development Conference
Mission and Goals other RPAs
501c3 memo

From: Linda Ludwig [lludwig@berkshireplanning.org]
Sent: Monday, April 29, 2013 11:50 AM
To: 'nkarns@berkshireplanning.org'
Subject: Check Register as you requested.
Attachments: Check Register - April 2013.xlsx

Here you go!

Linda Abate Ludwig

Berkshire Regional Planning Commission

Finance Administrator

1 Fenn Street - Suite 201

Pittsfield, Massachusetts 01201

Tel: 413-442-1521 x11

Fax: 413-442-1523

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NATHANIEL W. KARNS, A.I.C.P.
Executive Director

MEMORANDUM

TO: Executive Committee, Berkshire Regional Planning Commission
FROM: Nathaniel W. Karns, AICP, Executive Director
DATE: April 29, 2013
SUBJ: Agenda Items

VI. Business Requiring Action

A. Approval of Letter to DEP on Proposed Amendments to Various Regulations

A wide variety of changes are being proposed by the Massachusetts Department of Environmental Protection to its regulations. Of particular interest to us are changes to the wetlands, waterways, and septic regulations. Some of the changes are relatively minor but some have major ramifications. The Clearinghouse Review Committee met last Monday and had an extended discussion and made recommendations for a variety of comments to be included in the letter. The proposed letter is not yet finalized but will be sent out separately no later than Tuesday.

B. Approval to submit application to Massachusetts Department of Environmental Protection to the section 319 Water Quality Improvement Program.

Approval is requested to submit an application to the Massachusetts Department of Environmental Protection to the section 319 Water Quality Improvement Program. This program is to improve water quality. The exact proposal has not been finalized. We are exploring the possibility of an application for the Ecological Landscaping Program. Through this program we would engage property owners and retail landscaping staff to educate them on how land use and landscaping activities impact water quality and provide them with practical, feasible steps that they can take to reduce stormwater runoff and its associated pollutants.

C. Approval to submit proposal to Massachusetts Executive Office of Public Safety and Security for the Western Mass Sheltering Training project

Approval is requested to submit a proposal to the Massachusetts Executive Office of Public Safety and Security / Western Region Homeland Security Advisory Council for the Western Mass Sheltering Training Project. The Western Massachusetts Public Health Preparedness Coalitions Advisory Group (WAG) and the Western Massachusetts Medical Reserve Corps Advisory Group (MAG) will collaborate and coordinate to implement this project to develop a companion training guide to the WRHSAC Regional Sheltering Plan and to deliver Shelter Training Modules based on that Guide.

D. Approval to Submit Grant Application to the Federal Reserve Bank of Boston for Working Cities Challenge Grant

BRPC, in collaboration with Berkshire Community College, 1Berkshire, Berkshire United Way, Berkshire County Regional Employment Board, Berkshire County Regional Housing Authority, and

the City of Pittsfield, submitted a letter of intent to the Federal Reserve Bank of Boston for their new Working Cities Challenge Grant program. If awarded, the coalition would work on identifying and implementing needed changes to the workforce development system to improve outcomes and address unemployment, skills gap, and poverty issues with which the city and region are struggling. Only 20 cities in the state are eligible to apply. Three 3-year grants of up to \$700,000 will be awarded as well as several smaller 1-year grants. BRPC is acting as the lead applicant and will manage the project if we are successful.

E. Approval of Letter to DCR Regarding Request of Waiver to 120 Day Notice Requirement for Acquisition of 51 Acres in Otis

We fairly routinely receive requests from DCR to approve waivers of the 120 day notice requirement for land acquisitions, typically either before the end of the calendar (for tax purposes) or state fiscal (for state budget purposes) years. In the past we have simply relied on whether the affected municipality has any issues. With the extensive work done on the Natural Resources and Recreation Section of the *Sustainable Berkshires* plan, which identified priority areas for land preservation, we now have a new tool for assessing these requests. We are still checking with the Town of Otis and the Otis Reservoir Association to see how they view this acquisition. Attached is the waiver request, with map showing the proposed acquisition. We will have a proposed letter and will provide it to you for consideration by Tuesday in order for you to consider it at Thursday's meeting.

VII. Committee Reports

A. Clearinghouse Review Committee

The Committee is considering how to proceed with reviewing an ENF for a proposed photovoltaic project at the closed Lenox landfill and will also discuss its procedures for reviews to determine if clarifications or modifications would be helpful.

B. Regional Issues Committee

The Regional Issues Committee will be meeting on Tuesday, May 14th at 4 p.m. The primary topic is to begin a review of the reintroduced land use reform legislation.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

Since your last meeting, we have entered into one new contract:

- MassDOT for the FFY 2013-2014 Transit Planning program
- Town of Adams for Pavement Management Assessment

We expect momentarily to receive contracts for execution from:

- Town of Lanesborough for Pavement Management Assessment
- MassDOT for Mohawk Trail Bike Path design (Williamstown) and final planning and preliminary design (North Adams)

B. Approval of EPA Area-Wide Planning Grant for Town of Lee

We are pleased to report that the Town of Lee was notified last Thursday that it has been awarded an Area-Wide Planning Grant to focus on the vacant mills located between downtown and Lenox Dale. The goal of the proposed Area-Wide Planning Project is to develop a much needed plan for the industrial area just north of the downtown in which four former paper mills are located within a mile and a half of one another. BRPC will administer and facilitate the grant activities on behalf of the Town. The total grant amount is \$175,000. This is a nationally competitive program and only one other grant was awarded in EPA Region 1 (New England). Senior Planner Melissa Provencher developed the grant application, working with Town Administrator Bob Nason, and will manage this project.

C. Approval of Opioid Abuse Prevention Grant by DPH

The Department of Public Health has notified us that the Opioid Abuse Prevention Grant submitted by the Berkshire Public Health Alliance has been approved. Abuse of opioids is a growing issue in the County and the BPHA wants to develop a strong program to deal with it.

D. 2014 District Local Technical Assistance Funding

As you may recall, the Governor's budget proposal did not include funding for DLTA. The House budget increases funding to \$2.8 million statewide from the current (and historic) level of \$2.0 million. I would like to acknowledge the continued strong support of our State Representatives for DLTA funding. The Senate budget has not yet been released. It is important to communicate with Senator Downing regarding your support for this program in the next week. I know he is supportive but it always helps him to hear directly from local officials.

On the less positive side, the same line item in the budget was used to fund Community Innovation Challenge Grants, which are very supported by the Administration. Over the past two years, this funding has supported establishment and expansion of the Public Health Nursing Program and establishment of the On-Line Building Permit Program. The House budget did not include any funding for CIC grants, even though I know at least two of our State Representatives signed onto a budget amendment to add funding. It would be helpful to get the Senate to include CIC funding, on top of the DLTA funding. If no funding is provided to the CIC grant program, there will be an enhanced danger that the Governor will either veto or redirect the DLTA funding.

E. 2013 Massachusetts Trails Conference – Saturday, May 4th, Devens

The announcement for the Massachusetts Trails Conference is attached.

F. DHCD Planning & Community Development Conference – Tuesday, May 7th, Devens

The announcement for the conference is attached. This typically is a very worthwhile conference, particularly for those who are interested in affordable housing issues. For more information on the conference and to register, go to the Department of Housing & Community Development's website: www.mass.gov/hed.

G. 5th Thursday Dinner for Planning & Zoning Boards – Regulating Medical Marijuana – May 30th, Cork & Hearth, Lee

The next 5th Thursday dinner will be held at Cork & Hearth in Lee on May 30th. The announcement is attached. For more information, contact Senior Planner Brian Domina (442-1521, ext. 14; bdomina@berkshireplanning.org).

F. Improving Stream Crossings Workshop – Monday, June 17th, Berkshire Community College

The Berkshire workshop had been scheduled in March but we had a significant snowfall that day so it was postponed. The rescheduled day-long workshop on improving stream crossings to make them more flood resistant and fish-friendly is being held on Monday, June 17th. For more information, contact Senior Planner Lauren Gaherty (442-1521, ext. 35; lgaherty@berkshireplanning.org).

IX. Old Business

A. Status of Transfer of 501c(3) from Berkshire Learning Initiative to BRPC

As approved at the last meeting, we have engaged Jeffrey Hurwitt, an attorney with significant non-profit experience, including establishment of the Berkshire Learning Initiative 501c(3) and of the Metropolitan Planning Council's non-profit affiliate, to assist us through the process of transferring this. In checking with my counterparts, everyone seems to use the officers, by virtue of their positions or individually, plus the Executive Director as the non-profit board. One is currently considering expanding that by two "outsiders" representing some of their key collaborators. We will be working on the transfer over the next month to hopefully be ready to launch on July 1.

B. BRPC May Meeting

The agenda items we have at this point are:

- Adoption of the FY 2014 budget
- A presentation by staff from the Mass Housing Partnership regarding affordable housing programs and initiatives
- Proposed FY 2014 – FY 2017 Transportation Improvement Program for the Commission to consider and instruct the Chair regarding its priorities for road improvement projects in the region.

Roger had indicated that he thought it would be good to give a brief overview of services BRPC provides and we should have time on the agenda for that.

Attachments: DCR Letter Requesting Waiver of 120 Day Notice for Land Acquisition in Otis
2013 Massachusetts Trails Conference announcement from DCR
Planning & Community Development Conference 2013 flier from DHCD
5th Thursday Planning & Zoning Board Dinner announcement



Handwritten notes:
p. 7 - 25 Exhibit
not in file
not in file
not in file
not in file
not in file

March 25, 2013

Nathaniel W. Karns, Executive Director
Berkshire Regional Planning Commission
1 Fenn Street, Suite 201
Pittsfield, MA 01201-6629

Dear Mr. Karns:

In keeping with the provisions of 301 CMR 51.00, we would like to inform you that the Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (DCR), has under consideration the acquisition of approximately 51 (+/-) acres of land, or other property interest therein, in the Town of Otis. The property is currently used for forestry, open space and investment purposes. If acquired by DCR, the property will be incorporated into the Tolland State Forest for natural resource protection and passive public outdoor recreational use, and will help protect the Otis Reservoir. Enclosed is a locus map marked "Exhibit A" which shows the property in which we are interested.

The applicable regulations require that 120 days prior to a purchase, an agency must notify certain public officials of its proposed action. The notification is for informational purposes. The regulations also provide that the 120 day notification period may be shortened so that the Commonwealth, should it decide to proceed, may complete this transaction as soon as possible. If you agree to the reduction in time, kindly complete the waiver form enclosed herewith, and return it in the self-addressed envelope provided for your convenience.

Should you have any questions regarding this matter, kindly contact Jennifer Howard, Director of Land Protection at 413-586-8706 ext. 18. For your information, a similar notice is being sent to Roberta Sarnacki, Chairwoman, Selectboard, Representative William Pignatelli, and Senator Benjamin Downing.

Thank you very much for your assistance.

Very truly yours,

Thomas J. LaRosa
Deputy General Counsel

Enclosures

CERTIFIED MAIL No. 7009 0820 0000 4003 1015
RETURN RECEIPT REQUESTED

Handwritten: Otis

DCR File #: P-000658

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston MA 02114-2119
617-626-1250 617-626-1351 Fax
www.mass.gov/dcr



Deval L. Patrick
Governor

Timothy P. Murray
Lt. Governor

Richard K. Sullivan Jr., Secretary
Executive Office of Energy & Environmental Affairs

Edward M. Lambert Jr., Commissioner
Department of Conservation & Recreation

120 DAY WAIVER

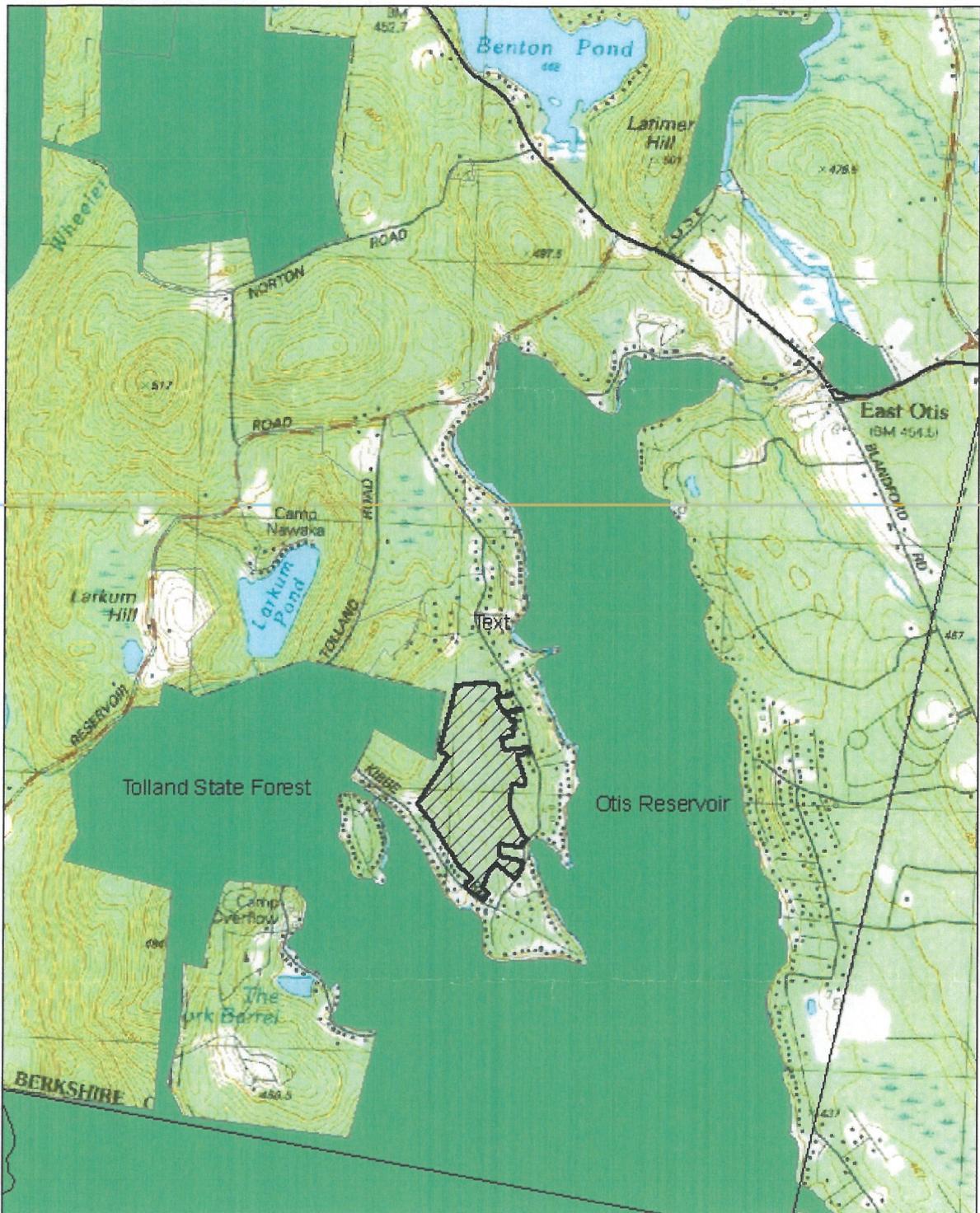
Pursuant to 301 CMR 51.00, *et seq.*, I, Nathaniel W. Karns, Executive Director, agree to waive the 120 day notice period, and support the acquisition by the Department of Conservation and Recreation of approximately 51 (+/-) acres of land, or lesser interest therein, in the Town of Otis in less than 120 days, as shown on Exhibit A attached hereto.

Date: _____

Nathaniel W. Karns, Executive Director
Berkshire Regional Planning Commission

DCR File #: P-000658

Exhibit A



Scale 1:25,000



Subject Property



DCR - State Forest



Planning & Community Development Conference 2013

PLANNING



PRODUCTION



PROGRESS



Register

Agenda & Workshops

Directions

A Planning & Community Development Conference



Tuesday, May 7, 2013 | 8:00 am - 2:00 pm
Devens Common Center | Devens, MA

Registration fee is \$45 - space is limited

This conference will help communities engage in planning, community/economic development and housing production that supports the Commonwealth's "Choose Growth" policies and Sustainable Development Principles. Learn about local and regional activities currently underway that assure Massachusetts continues its progress toward a healthy economy, a diverse supply of housing and a vibrant quality of life.

- **Welcome Address - Lt. Governor Timothy P. Murray**
- **Choose Growth – Secretary Gregory Bialecki, EOHED**
- **Keynote – The Honorable Kimberley Driscoll, Mayor, City of Salem**

Who should attend: local officials, planning and community/economic development professionals, board and commission members and non-profit and for-profit developers.

Questions? Call 1-617-573-1353 or e-mail MaryJane.Gandolfo@state.ma.us

Planning, Production & Progress Conference "At a Glance"

8:00 am - 9:00 am	Registration, Continental Breakfast & Sponsor's Exhibits
9:00 am - 9:30 am	Opening Remarks - Lt. Governor Timothy P. Murray & Secretary Gregory Bialecki, EOHED

9:45 am - 11:00 am	Concurrent Workshops
11:15 am - 12:30 pm	Concurrent Workshops
12:30 pm - 1:30 pm	Lunch & Keynote - The Honorable Kimberley Driscoll, Mayor, City of Salem
1:30 pm - 2:00 pm	Sponsor's Exhibits & Networking



CM credits pending

Support provided by:



Massachusetts Housing Partnership
Moving affordable housing forward



MASSDEVELOPMENT



MAGP
Massachusetts Association of Consulting Planners

Sponsors:



MASSACHUSETTS
SMART GROWTH
ALLIANCE



Mel King Institute
for community building

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From: Jahnige, Paul (DCR) [paul.jahnige@state.ma.us]
Sent: Tuesday, March 12, 2013 1:43 PM
To: nkarns@berkshireplanning.org
Subject: 2013 Massachusetts Trails Conference - Announcement and Invitation

2013 MASSACHUSETTS TRAILS CONFERENCE

SATURDAY, MAY 4, 2013

DEVENS COMMON CENTER

31 ANDREWS PARKWAY, DEVENS, MA 01434

The conference is supported by the Massachusetts Department of Conservation and Recreation (DCR) and the Massachusetts Recreational Trails Advisory Board (MARTAB), and the Recreational Trails Grants Program. (see <http://www.mass.gov/dcr/stewardship/greenway/calendar.htm> for web posting)

THEME:

Connectivity Leading to Community

This year's conference explores how trail connections help build community. Trails connect places physically on the landscape, but trails, trail use, trail building and trail promotion can also connect diverse groups of people to each other; connect us to our built, natural and cultural environment; can contribute to local economic opportunities; and contribute to creating healthier communities. Workshops at the 2013 Massachusetts Trail Conference explore these themes and hopefully will also connect and strengthen the Massachusetts Trails Community.

PURPOSE:

Participants will find workshop available on a variety of topics including rail trail design and development, motorized trail user issues, risk and liability, working with volunteers and connecting through new technologies. Participants will also have opportunities to connect with others around the state tackling similar issues. [View the full list of workshops here.](#)

WHO SHOULD ATTEND:

This day-long conference offers 16 workshops for trail planners, advocates, managers, users, land trusts, conservation commissions, friends groups and volunteers interested in creating, managing and promoting sustainable trails for healthy communities. [View the agenda here.](#)

SPEAKERS

Commissioner Edward M. Lambert, Jr.

[Massachusetts Department of Conservation & Recreation](#)

Edward M. Lambert, Jr. was appointed by Governor Deval Patrick and Energy & Environmental Affairs (EEA) Secretary, Richard K. Sullivan, Jr, in February of 2011 to serve as the Commonwealth's Commissioner of Conservation & Recreation. In his role as Commissioner, he oversees the largest of EEA's six agencies, which manages the state's forests, parks, greenways, historic sites, seashores, reservoirs, and watersheds, and administers the many recreational activities and opportunities the Department offers to residents across the Commonwealth.

[Mark Fenton](#)

Mark Fenton is a national public health, planning, and transportation consultant, an adjunct associate professor at Tufts University's Friedman School of Nutrition Science and Policy, and former host of the "America's Walking" series on PBS television.

COST:

Participant registration costs \$25 and includes workshops, materials, breaks and lunch. [Register to attend here.](#)

<http://www.mass.gov/dcr/stewardship/greenway/docs/trailconference2013registration.doc>

DEVENS COMMON CENTER

31 Andrews Parkway | Devens | Massachusetts | 978.772.0188

Devens Common Center, a premier convention facility located in the heart of historic Devens, Massachusetts. You'll enjoy the convenience and upscale setting of a big city event located in a small New England town. We are conveniently accessible by major routes and only 35 miles northwest of Boston and just 15 minutes from I-495

<http://www.devenscommoncenter.com/>

MASSACHUSETTS DEPARTMENT OF CONSERVATION & RECREATION

The Department of Conservation & Recreation (DCR) is the state's value-added agency: offering access to properties and programs that create a lifetime of memories for residents and their families. We are stewards of more than 450,000 acres of land that includes some of the most beautiful and iconic landscapes and facilities anywhere. We touch every corner of the state and nearly every city and town and are integrated into urban, rural, and suburban settings. DCR is the ninth largest parks system in the country, serving a densely-populated state fortunate to have these great properties literally in our backyard.

For DCR properties nearby Devens:

<http://www.mass.gov/dcr/central.htm>

<http://www.mass.gov/dcr/northeast.htm>

Join us on:

twitter.com/massDCR

MASSACHUSETTS OFFICE OF TOURISM

Devens is in the heart of Massachusetts. Explore the region and you'll discover unique cultural delights, gorgeous natural vistas and the opportunity to experience Massachusetts' history.

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For more information, contact:

Amanda Lewis, DCR Recreational Trails Program

413-586-8706 ext 19, or amanda.lewis@state.ma.us

Dick O'Brien, MARTAB Chairman

dobrien578@gmail.com

DCR Greenways

Land Use Considerations for Medical Marijuana Treatment Centers

BRPC 5th Thursday Dinner Series

Thursday, May 30, 2013



Cork & Hearth Restaurant
Route 20
Lee, MA 01238



In March 2013, the Massachusetts Attorney General's Office disapproved the Town of Wakefield's ban on medical marijuana treatment centers. The Attorney General's ruling means that under state law a municipality cannot prohibit a medical marijuana treatment center from locating within its boundaries. However, according to the AG's Office a municipality may properly regulate a medical marijuana treatment center through its land use regulations.

Please join BRPC for dinner and an educational presentation by Attorney Dwight Merriam from the law firm of Robinson & Cole for a discussion of land use consideration for medical marijuana treatment centers. Mr. Merriam is an accomplished land use attorney, professor and planner whose attached biography speaks for itself.



PLEASE SEE THE ATTACHED SHEET FOR EVENT DETAILS

Dwight H. Merriam, Past Chair of the American Bar Association's Section of State and Local Government Law, founded Robinson & Cole's Land Use Group in 1978. He represents land owners, developers, governments and individuals in land use matters. Dwight is a Fellow and Past President and of the American Institute of Certified Planners, a former Director of the American Planning Association, a former chair of APA's Planning and Law Division, a former chair of the American Bar Association's national Section of State and Local Government Law; the Connecticut member of Owners' Counsel of America, a Fellow of the Royal Institution of Chartered Surveyors, a Fellow of the American Bar Foundation, a member of the Rocky Mountain Land Use Institute National Advisory Board, a Fellow of the Connecticut Bar Foundation, a Counselor of Real Estate, a member of the Anglo-American Real Property Institute, and a Fellow of the American College of Real Estate Lawyers.

He teaches land use law at the University of Connecticut School of Law and at the Vermont Law School and has published over 200 articles and nine books and including *Inclusionary Zoning Moves Downtown*, *The Takings Issue*, *The Complete Guide to Zoning*, and *Eminent Domain Use and Abuse: Kelo in Context*.

Dwight has been named to the Connecticut *Super Lawyers* list in the area of Land Use Law since 2006, is one of the Top 50 Connecticut *Super Lawyers* in Connecticut 2011, one of the *Top 100 New England Super Lawyers* in 2011 (*Super Lawyers* is a registered trademark of Key Professional Media, Inc.), ranked in *Chambers USA: America's Leading Lawyers for Business* in Connecticut in the area of Real Estate, listed in *The Best Lawyers in America*® in the areas of Land Use & Zoning Law and Real Estate Law since 1991 and the areas of Litigation - Land Use & Zoning and Litigation - Real Estate for 2012 and 2013, and listed in *The Best Lawyers in America*® as Hartford Lawyer of the Year in the area of Litigation - Land Use & Zoning for 2013 and in the area of Land Use & Zoning Law for 2012.

He received his B.A (cum laude) from the University of Massachusetts, his Masters of Regional Planning from the University of North Carolina, where he was invited back as the graduation speaker in 2011, and his J.D. from Yale. He is a featured speaker at many land use seminars, and presents monthly audio land use seminars for the International Municipal Lawyers Association. Dwight has been cited in the national press from The New York Times to People magazine and has appeared on NBC's The Today Show, MSNBC and public television.

Dwight served for seven years on active duty in the Navy as a Surface Warfare Officer, including three tours in Vietnam, and 24 more years in the reserves, retiring as a Captain following his command of the reserve augmentation unit of the Naval Undersea Warfare Center.

5th Thursday Dinner – May 30, 2013
“Land Use Considerations for Medical Marijuana Treatment Centers”

5:30 PM Cocktail Hour ★ 6:30 PM Dinner & Speaker

PLEASE SUBMIT RESERVATIONS EARLY AS WE EXPECT THIS EVENT TO BE VERY POPULAR – ONCE WE REACH CAPACITY AT THE RESTAURANT WE CANNOT ACCEPT ADDITIONAL ATTENDEES

___ **Yes, I (we) will be attending!**

Name (s) _____

Town _____

Board/Title _____

Amount Enclosed \$ _____

**Cork & Hearth
Route 20
Lee, MA 01238**

Dinner Selections

A buffet dinner will be served that includes the following selections:

**Fresh Baked Rolls & Fresh Salad
Chicken Marsala
Fresh Baked Scrod
Penne Marinara
Zucchini Medley
Oven Roasted Potatoes
Coffee/Tea & Dessert**

\$32.00 for Planning Boards, Zoning Boards, Boards of Selectmen, Building Inspectors, Town Managers and Administrators, and Municipal Planning Professionals.

\$37.00 all others.

Payment at the door will not be accepted.

Please mail payment in advance to:

(Checks must be made out to BRPC)

**Berkshire Regional Planning Commission
1 Fenn Street, Suite 201
Pittsfield MA, 01201**

Reservations **must** be received by: **Wednesday, May 22, 2013**

Late reservations cannot be accepted. If you have special dietary restrictions please let us know

Cancellations received after May 22nd are non-refundable.

Please contact Brian Domina: bdomina@berkshireplanning.org or 413-442-1521 ext. 14 for details.

BERKSHIRE REGIONAL PLANNING COMMISSION

1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201

TELEPHONE (413) 442-1521 • FAX (413) 442-1523

www.berkshireplanning.org

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NATHANIEL W. KARNS, A.I.C.P.
Executive Director

MEMORANDUM

TO: Delegates and Alternates, Berkshire Regional Planning Commission
FROM: Nathaniel W. Karns, AICP, Executive Director
DATE: April 5, 2013
RE: **March Technical Assistance Activities**

This report highlights technical assistance provided by the staff of the Berkshire Regional Planning Commission for the month of March 2013. This assistance was provided in response to requests staff received as identified in the Board/Organization column. Responses to requests were supported by local assessment funds or grant funds, if available and permitted by the funding agencies. This report is intended to keep municipal officials informed regarding the uses to which local assessment funds are put and to indicate the types of local and technical assistance that BRPC can provide. If assistance to others may be useful to your community, please feel free to contact us for details.

Town/City/State	Municipal Technical Assistance	Board/Organization
Cheshire	Provided technical assistance with researching formation of water district.	Water Commissioner
Dalton	Provided technical assistance with information regarding a Master Plan.	Town Administrative Secretary
Gt. Barrington	Provided a Utilities Map.	Town Planner
Lanesborough	Provided contact information on funding for senior housing.	BRPC Alternate
Mt. Washington	Provided technical assistance with the special permit process.	Planning Board
Pittsfield	Provided a letter of support for Pittsfield's application for Mass Historic funds for Springside House renovations.	Community Development Department
Stockbridge	BRPC annual letter about Stockbridge Bowl Association potential grant application to s.319 program and provide materials.	Stockbridge Bowl Association
Williamstown	Provided assistance gathering additional information regarding programs that support residential home owners to maintain their homes.	Affordable Housing Committee and Consultant

Assistance Recipient	Non-Municipal Technical Assistance	Organization
Private	Provided technical assistance regarding potential traffic issue on Rtes 7 and 20.	Local Business