

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](http://www.berkshireplanning.org)

SHEILA IRVIN, Chair  
KYLE HANLON, Vice-Chair  
MARIE RAFTERY, 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, November 6, 2014, 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 October 9, 2014 *  | (4:05) |
| III. | Financial Reports  | (4:10) |
|      | A. October Expenditures Report *   |        |
|      | B. Accounts Receivable Report  |        |
|      | C. Status of Receipt of Community Assessments for FY 2015  |        |
|      | D. Other   |        |
| IV.  | Delegate & Alternate Issues  | (4:20) |
| V.   | Clearinghouse Review – DEIR for Connecticut Expansion Project (Sandisfield & Tyringham)  | (4:25) |
| VI.  | Items Requiring Action *   | (4:45) |
|      | A. Approval to Submit Grant Application to the U.S. Environmental Protection Agency for Brownfields Assessment Program   |        |
|      | B. Approval to Submit Grant Application to the Massachusetts Environmental Trust for Conservation Commission Training on Wetlands Permitting for Natural Gas Pipelines |        |
|      | C. Other   |        |
| VII. | Committee Reports  | (4:50) |

- VIII. Executive Director's Report (4:55)
- A. Report on New Contracts/Agreements
  - B. Public Health Alliance Services
  - C. Massachusetts Energy Facility Siting Board Public Hearing on Tennessee Gas Pipeline Connecticut Expansion Project – November 5<sup>th</sup>, 7 p.m., Sandisfield Arts Center
  - D. Initiation of Federal Energy Regulatory Commission Environmental Assessment Process for Tennessee Gas Pipeline's Connecticut Expansion Project
  - E. Citizen Planner Training Collaborative Fall Courses – November 13<sup>th</sup> & December 18<sup>th</sup>, BRPC
  - F. Tennessee Gas Pipeline Company Northeast Energy Direct Project Open Houses
  - G. Solicitation of 2015 District Local Technical Assistance Projects from Municipalities
  - H. FY 15 Peer-to-Peer Technical Assistance Program Grants Availability
  - I. FY 15 MA Downtown Initiative Program Availability
  - J. MassWorks Project Announcements
  - K. Announcement of Award of MassDevelopment Brownfields Funds to Town of Great Barrington for Ried Cleaners Site Assessment
  - L. Disposal of Surplus (obsolete) Computers
  - M. Other
- IX. Old Business (5:00)
- A. Commission Meeting – November 20<sup>th</sup>
  - B. Other
- X. New Business (5:05)
- A. BRPC Delegate & Alternate and Staff Informal Holiday Get-Together
  - B. Briefing Paper on Key Regional Issues for Incoming Governor
  - C. Other
- XI. Adjournment (5:20)

\* Items Requiring Action

Attachments: September Local Technical Assistance Report

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

SHEILA IRVIN, Chair  
KYLE HANLON, Vice-Chair  
MARIE RAFTERY, Clerk  
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NATHANIEL W. KARNS, A.I.C.P.  
Executive Director

## DRAFT MINUTES OF THE EXECUTIVE COMMITTEE MEETING

Thursday, October 9, 2014  
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  
Kyle Hanlon, Vice Chair  
Chuck Ogden, Treasurer  
Rene Wood, Commission Development Committee Chair  
Marie Raftery, At Large  
John Duval, At Large

A quorum is present.

Others Present: Andy McKeever – iberkshires Staff

Staff Present: Nat Karns – Executive Director  
Tom Matuszko – Assistant Director  
Marianne Sniezek – Office Manager

### II. Approval of Minutes of Executive Committee Meeting of October 9, 2014

Rene Wood moved to approve with clarifications and one additional in attendance; Chuck Ogden seconded. Unanimously approved with one abstention.

### III. Organization of 2014-2015 Executive Committee and Commission

### IV. Financial Reports

#### A. September Expenditure Report

Nat asked all to look at the complete expenditure list, and he would answer any questions.

Rene Wood moved to approve September Expenditures as presented; Chuck Ogden seconded. Unanimously approved.

**B. Accounts Receivable Report**

Staff is continuing to follow up on aged receivables over 90 days. None of the aged receivables are at risk. Nat explained the Town of Dalton must re-appropriate \$5,212.49 to BRPC due to late billing. All other aged receivables have been paid or will be paid.

**C. Status of Receipt of Community Assessment for FY2015**

Communities are continuing to pay. BRPC has sent second notices to those who have not paid. Four remaining towns, New Ashford, New Marlborough, Savoy and Windsor have been called.

**D. Other- None**

**V. Delegate and Alternate Issues – None**

**VI. Items Requiring Action**

**A. Approval to File Any Necessary Requests with the Federal Energy Regulatory Commission regarding the Tennessee Gas Pipeline Northeast Energy Direct Project**

Rene Wood moved to approve; Chuck Ogden seconded. Unanimously approved.

**B. Approval of Final BRPC Comments Regarding Proposed EPA Remedy for the Rest of River Clean-up**

Nat explained in the packet were draft comments and tonight there is a sheet with three additional items to be inserted into the draft comment letter:

1. Addition to the Temporary Storage paragraph - Massachusetts General Law, section 21D Hazard Waste Facilities Act requires owners and operators must negotiate with municipalities for compensation for locating Hazardous Waste Facilities within their borders. This includes handling, temporary storage, and dewatering facilities.
2. Additional paragraph in regards to new discoveries of PCBs in the stormwater system near the original GE plant area, even though this area was cleaned up by GE. In the original consent decree, GE felt they were able to walk away from contamination that continues to come off the site.
3. New bullet added regarding permit language and water quality violations should be GE's responsibility.

Rene Wood moved to approve the draft letter with changes as presented along with allowing any additional information or changes to the language up until the comments are due; Kyle Hanlon seconded. Unanimously approved.

**C. Approval to Submit Grant Application to the Food & Drug Administration for a new Town Food Safety Program**

Rene Wood moved to approve; Chuck Ogden seconded. Unanimously approved.

**D. Other - none**

**VII. Committee Reports**

- A. Commission Development Committee –** Rene Wood reported the Annual Dinner planned will be a wonderful evening with the Senator and all four representatives and the Kusik Award. At the 5<sup>th</sup> Thursday event on October 30<sup>th</sup> Billie Best will speak on the topic of Community Land Trusts.

The Commission Development Committee asked if the Executive Committed would address:

1. **Rules of order of meetings and the process. If there are any rules could they be announced at the beginning of the meetings?**

It was decided the process of meetings can be announced or explained.

2. **At the Full Commission meeting Delegates or Alternates are asked to approve the actions of the Executive Committee. The committee asked if a brief discussion of the actions could be done before the approval.**

It was decided a brief description will be added to the Executive Approval memo.

**Regional Issues Committee** – none

**Clearinghouse Review Committee** – Nat explained BRPC received the Draft Environmental Impact Report for the Connecticut Pipeline Loop. A meeting will be held within the next month to review the report.

**Other** - none

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

**A. Report on New Contracts/Agreements**

**B. Public Health Alliance Services**

Nat explained Flu Shots will be offered to the employees in the building on October 16<sup>th</sup> from 1 to 2 pm; Executive Committee members are welcome to sign up to receive them here as well.

**C. EPA Comment Period for Proposed Clean-up of PCB's from Housatonic River – October 27<sup>th</sup> - Next Month the Clearinghouse Review Committee will review.**

**D. Submittal of Draft Environmental Impact Report by Tennessee Gas Pipeline Company for the Connecticut Expansion Project**

**E. BRPC Fifth Thursday Dinner – October 30<sup>th</sup>, Mazzeo's Ristorante, Pittsfield**

**F. Citizen Planner Training Collaborative Fall Courses – November 13<sup>th</sup> & December 18<sup>th</sup>, BRPC**

**G. FY 15 Peer-to-Peer Technical Assistance Program Grants Availability**

Nat explained this Grant will be for a few hours of time of a peer. There is no money value only time.

**H. Release of EPA Draft Municipal Stormwater 4 Permit Regulations**

BRPC may comment on the new draft Municipal Stormwater permit regulations. Pioneer Valley Planning Commission (PVPC) will have an information session by EPA on October 16<sup>th</sup>. The communities effected could put in requests for assistance under the District Local Technical Assistance Program for 2015. The request could be a regional approach for education and cleaning requirements.

**I. Award of Mini Grant from the Massachusetts Department of Public Health for Equipment**

**J. Award of Pipeline Technical Assistance Grant from the U.S. Department of Transportation Pipeline & Hazardous Materials Safety Administration**

**K. Other** - none

**IX. Old Business**

**A. BRPC Annual Meeting – Thursday, October 16<sup>th</sup>**

Nat reported as of today there will be 68 attending the Annual Dinner.

**B. Other - none**

**X. New Business**

**A. Commission Meeting – November 20<sup>th</sup>**

Nat reported the topics would include:

- Comments on EPA Draft Municipal Stormwater 4 Permit Regulations
- Presentation on Home Based Business Regulations
- Presentation on Sustainable Berkshire Implementation Activities.

**B. Other - none**

**XI. Adjournment**

Kyle Hanlon moved to adjourn the meeting which was seconded by Rene Wood.  
The meeting was adjourned at 4:44 p.m.

Materials distributed or presented during this meeting:

Agenda  
Minutes  
Check Register  
Aged Receivables  
Executive Director's Memo  
Technical Assistance Report  
Draft Letter Approval of Pre-Filing Request  
5<sup>th</sup> Thursday Flyer  
Community Land Trust Program 2014-2016  
2014 CPTC Workshops  
FY15 Peer to Peer Technical Assistance Program  
Insertions to the Draft Rest of River Comment Letter

# BERKSHIRE REGIONAL PLANNING COMMISSION

## Check Register

For the Period From Oct 1, 2014 to Oct 31, 2014

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount	
10484	10/1/14	BERKSHIRES TOMORROW, INC.	1040.000	2,371.75	Non-Profit Lease Payment
10485	10/1/14	COURIER PRINTING, INC.	1040.000	955.20	PRSDL Printing
10486	10/1/14	MIIA HEALTH BENEFITS TRUST	1040.000	1,373.22	Dental Insurance
10487	10/1/14	MIIA HEALTH BENEFITS TRUST	1040.000	19,226.74	Health Insurance
10488	10/1/14	MUTUAL OF OMAHA	1040.000	641.75	Life; Disability Insurance
10489	10/1/14	CITY OF PITTSFIELD	1040.000	245.00	Parking
10490	10/1/14	BERKSHIRE TECHNOLOGY PARTNERS	1040.000	3,867.00	Rent October
10491	10/1/14	BCARC, INC.	1040.000	77.31	Common Ground
EFT	10/1/14	AMAZON.COM	1040.000	294.00	#358 Mini Grant - Printer
EFT	10/3/14	SAGE SOFTWARE, INC.	1040.000	1,069.00	Annual Support Peachtree
EFT	10/8/14	SURVEY MONKEY	1040.000	288.00	Subscription
EFT	10/9/14	VISTAPRINT	1040.000	24.99	M Agoglia Business Cards
EFT	10/9/14	MASSACHUSETTS TRAILS CONFERENCE	1040.000	120.00	#310 MBPT2 Conference
EFT	10/14/14	SNAPFISH	1040.000	802.04	Framed Matted Prints for Office
10492	10/21/14	BERNSTEIN, CUSHNER & KIMMELL	1040.000	318.50	Pipeline Legal Services
10493	10/21/14	BERKSHIRE COUNTY SELECTMEN'S ASSOC.	1040.000	60.00	Meeting
10494	10/21/14	COMPUWORKS	1040.000	2,515.50	Contract/Router
10495	10/21/14	CORNERSTONE	1040.000	583.32	Telephone/Internet
10496	10/21/14	DLT SOLUTIONS, INC.	1040.000	487.37	Autocad - 3 year renewal
10497	10/21/14	FEDEX	1040.000	44.14	Postage
10498	10/21/14	KELLEY CLEANING SERVICES	1040.000	250.00	Cleaning Services
10499	10/21/14	LINDA LUDWIG	1040.000	119.76	Expense Report
10500	10/21/14	MARPA	1040.000	1,975.00	Dues
10501	10/21/14	MASS STATE EMPLOYEES RET.SYSTEM	1040.000	9,943.50	Employee Retirement
10502	10/21/14	Q DIGITAL STUDIO, LTD	1040.000	552.50	#281 Data Analysis
10503	10/21/14	RANDALL TROPHIES	1040.000	127.98	Annual Meeting
10504	10/21/14	BERKSHIRE TECHNOLOGY PARTNERS	1040.000	1,059.59	Utilities
10505	10/21/14	SAMEL'S DELI & CATERING	1040.000	107.00	Meeting Expense
10506	10/21/14	STAPLES ADVANTAGE	1040.000	246.01	Office Expense
10507	10/21/14	TRC ENVIRONMENTAL CORPORATION	1040.000	15,052.71	#250 DAL/CLNUP Consultant
10508	10/21/14	VALLEY GREEN SHREDDING, LLC	1040.000	70.00	Recycling/Shredding
10509	10/21/14	W.B. MASON COMPANY, INC.	1040.000	377.29	Office Expense
10510	10/29/14	COUNTRY CLUB OF PITTSFIELD	1040.000	2,377.74	Annual Meeting
10511	10/29/14	BRIAN M. DOMINA	1040.000	85.00	Expense Report
10512	10/29/14	LAUREN L. GAHERTY	1040.000	188.43	Expense Report
10513	10/29/14	JENNIFER L. KIMBALL	1040.000	209.97	Expense Report
10514	10/29/14	LAURA KITTROSS	1040.000	389.24	Expense Report
10515	10/29/14	SCOTT B. KRZANIK	1040.000	2,889.00	#283 Inspections 9/15-10/15
10516	10/29/14	CLETUS K. KUS	1040.000	27.08	Expense Report
10517	10/29/14	MACFARLANE OFFICE PRODUCTS, INC.	1040.000	790.04	Copying
10518	10/29/14	MARK MALOY	1040.000	87.50	Expense Report
10519	10/29/14	SANDRA B. MARTIN	1040.000	395.50	Expense Report

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For the Period From Oct 1, 2014 to Oct 31, 2014

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>	
10520	10/29/14	THOMAS E. MATUSZKO	1040.000	176.04	Expense Report
10521	10/29/14	PATRICIA A. MULLINS	1040.000	132.54	Expense Report
10522	10/29/14	JACLYN PACEJO	1040.000	129.83	Expense Report
10523	10/29/14	DIANE PERSSON	1040.000	<u>365.68</u>	Expense Report
<b>Total</b>				<b>73,489.76</b>	

**BERKSHIRE REGIONAL PLANNING COMMISSION**

Aged Receivables

As of Oct 31, 2014

Class of Invoice	Description	Date	Invoice/CM #	0 - 30	31 - 60	61 - 90	Over 90 days	Amount Due	
250/DAL/CLNUP	DALTON REDEVELOP.AUTHORITY-DAL/CLNUP	7/31/14	250-063014-22				5,930.25	5,930.25	Partially paid - waiting for add'l funding
<b>250/DAL/CLNUP</b>	<b>DALTON REDEVELOP.AUTHORITY-DAL/CLNUP</b>						<b>5,930.25</b>	<b>5,930.25</b>	
263/MT/HIST	MASS DOT - MT/HIST	10/27/14	263-093014	17,137.87				17,137.87	
<b>263/MT/HIST</b>	<b>MASS DOT - MT/HIST</b>			<b>17,137.87</b>				<b>17,137.87</b>	
281/TPL13	MASSDOT#75425 - TPL13	10/20/14	281-093014-2.12	41,924.29				41,924.29	
<b>281/TPL13</b>	<b>MASSDOT#75425 - TPL13</b>			<b>41,924.29</b>				<b>41,924.29</b>	
283 BHPA/INSP/BKT	TOWN OF BECKET	10/21/14	283-093014-5-BKT	1,887.50				1,887.50	
<b>283 BHPA/INSP/BKT</b>	<b>TOWN OF BECKET</b>			<b>1,887.50</b>				<b>1,887.50</b>	
283 BHPA/INSP/CLK	TOWN OF CLARKSBURG	10/21/14	283-093014-5-CLK	250.00				250.00	
<b>283 BHPA/INSP/CLK</b>	<b>TOWN OF CLARKSBURG</b>			<b>250.00</b>				<b>250.00</b>	
283 BHPA/INSP/EGR	TOWN OF EGREMONT	10/21/14	283-093014-5-EGR	3,380.50				3,380.50	
<b>283 BHPA/INSP/EGR</b>	<b>TOWN OF EGREMONT</b>			<b>3,380.50</b>				<b>3,380.50</b>	
283 BHPA/INSP/PER	TOWN OF PERU	10/21/14	283-093014-5-PER	1,800.00				1,800.00	
<b>283 BHPA/INSP/PER</b>	<b>TOWN OF PERU</b>			<b>1,800.00</b>				<b>1,800.00</b>	
283 BHPA/INSP/SHF	TOWN OF SHEFFIELD	10/21/14	283-093014-5-SHF	212.50				212.50	
<b>283 BHPA/INSP/SHF</b>	<b>TOWN OF SHEFFIELD</b>			<b>212.50</b>				<b>212.50</b>	
283 BHPA/INSP/WSH	TOWN OF WASHINGTON	10/21/14	283-093014-5-WSH	675.00				675.00	
<b>283 BHPA/INSP/WSH</b>	<b>TOWN OF WASHINGTON</b>			<b>675.00</b>				<b>675.00</b>	
284/BHPN/PHN/ADAMS	TOWN OF ADAMS	10/1/14	284-100114-2-ADM	1,463.71				1,463.71	
<b>284/BHPN/PHN/ADAMS</b>	<b>TOWN OF ADAMS</b>			<b>1,463.71</b>				<b>1,463.71</b>	
284/BHPN/PHN/NAD	CITY OF NORTH ADAMS	10/1/14	284-100114-2-NAD	2,018.75				2,018.75	
<b>284/BHPN/PHN/NAD</b>	<b>CITY OF NORTH ADAMS</b>			<b>2,018.75</b>				<b>2,018.75</b>	
284/BHPN/PHN/PER	TOWN OF PERU	10/1/14	284-100114-2-PER	326.50				326.50	
<b>284/BHPN/PHN/PER</b>	<b>TOWN OF PERU</b>			<b>326.50</b>				<b>326.50</b>	
284/BPHN/PHN/CLK	TOWN OF CLARKSBURG	10/1/14	284-100114-2-CLK	546.25				546.25	
<b>284/BPHN/PHN/CLK</b>	<b>TOWN OF CLARKSBURG</b>			<b>546.25</b>				<b>546.25</b>	
284/BPHN/PHN/EGR	TOWN OF EGREMONT	10/1/14	284-100114-2-EGR	477.25				477.25	
<b>284/BPHN/PHN/EGR</b>	<b>TOWN OF EGREMONT</b>			<b>477.25</b>				<b>477.25</b>	
284/BPHN/PHN/GTB	TOWN OF GREAT BARRINGTON	10/1/14	284-100114-2-GTB	1,217.75				1,217.75	
<b>284/BPHN/PHN/GTB</b>	<b>TOWN OF GREAT BARRINGTON</b>			<b>1,217.75</b>				<b>1,217.75</b>	
284/BPHN/PHN/WSH	TOWN OF WASHINGTON	10/1/14	284-100114-2-WSH	255.50				255.50	
<b>284/BPHN/PHN/WSH</b>	<b>TOWN OF WASHINGTON</b>			<b>255.50</b>				<b>255.50</b>	
290/MASSDOT/PRSDL	MASSACHUSETTS DEPT OF TRANSPORTATION	10/23/14	290-102314-2.7	36,593.16				36,593.16	
<b>290/MASSDOT/PRSDL</b>	<b>MASSACHUSETTS DEPT OF TRANSPORTATION</b>			<b>36,593.16</b>				<b>36,593.16</b>	
310/MBPT2	MASSDOT#77954 - MBPT2	10/27/14	310-093014	6,439.27				6,439.27	

**BERKSHIRE REGIONAL PLANNING COMMISSION**

Aged Receivables

As of Oct 31, 2014

Cluster ID	Includes: 1) Includes: 1) Includes: 1) Includes: 1) Includes: 1)	Date	Invoice/CM #	0 - 30	31 - 60	61 - 90	Over 90 days	Amount Due	
310/MBPT2	MASSDOT#77954 - MBPT2			6,439.27				6,439.27	
311/FCCDC/ERNT	FRANKLIN COUNTY COMMUNITY DEV CORP	10/27/14	311-093014-5	841.29				841.29	
311/FCCDC/ERNT	FRANKLIN COUNTY COMMUNITY DEV CORP			841.29				841.29	
314/BCBOHA	BERKSHIRE COUNTY BOARDS OF HEALTH ASSOC	7/10/14	314-063014-4			31.92		31.92	
314/BCBOHA	BERKSHIRE COUNTY BOARDS OF HEALTH ASSOC					31.92		31.92	
315/TOWN OF DALTON	TOWN OF DALTON	6/26/14	315-063014-01-FINAL			5,212.49		5,212.49	
315/TOWN OF DALTON	TOWN OF DALTON					5,212.49		5,212.49	MP contacting Dalton
317/FRCOG/WF	FRANKLIN REGIONAL COUNCIL OF GOVT	10/27/14	317-093014	5,163.84				5,163.84	
317/FRCOG/WF	FRANKLIN REGIONAL COUNCIL OF GOVT			5,163.84				5,163.84	
320/LEE/BFAWP	TOWN OF LEE	9/10/14	320-083114-04		12,884.45			12,884.45	
320/LEE/BFAWP	TOWN OF LEE				12,884.45			12,884.45	
325/PVPC/TL	PIONEER VALLEY PLANNING COMMISSION	7/10/14	325-063014-3			-2.00		-2.00	Overpaid in error
325/PVPC/TL	PIONEER VALLEY PLANNING COMMISSION	10/20/14	325-093014-4	2,395.84				2,395.84	
325/PVPC/TL	PIONEER VALLEY PLANNING COMMISSION			2,395.84		-2.00		2,393.84	
327/DPH/PHDIG14	DEPARTMENT OF PUBLIC HEALTH	10/22/14	327-102214-17	9,750.00				9,750.00	
327/DPH/PHDIG14	DEPARTMENT OF PUBLIC HEALTH			9,750.00				9,750.00	
336/MAPC/POPA	WESTERN MASS HOMELAND SECURITY REGION	10/9/14	336-093014-5	786.31				786.31	
336/MAPC/POPA	WESTERN MASS HOMELAND SECURITY REGION			786.31				786.31	
340 AFDO/FDAS7	340 AFDO/FDAS7	10/27/14	340-093014	5,155.22				5,155.22	
340 AFDO/FDAS7	340 AFDO/FDAS7			5,155.22				5,155.22	
341 AFDO/FDA/A2014	341 AFDO/FDA/A2014	10/27/14	341-093014	2,500.00				2,500.00	
341 AFDO/FDA/A2014	341 AFDO/FDA/A2014			2,500.00				2,500.00	
343 MAPC/ERC	METROPOLITAN AREA PLANNING COUNCIL	10/27/14	343-093014-1	4,154.76				4,154.76	
343 MAPC/ERC	METROPOLITAN AREA PLANNING COUNCIL			4,154.76				4,154.76	
345 FRCOG/MRC15	FRANKLIN REGIONAL COUNCIL OF GOVERNMENT	10/9/14	345-093014-3	3,334.34				3,334.34	
345 FRCOG/MRC15	FRANKLIN REGIONAL COUNCIL OF GOVERNMENT	10/27/14	345-102714-3	2,676.78				2,676.78	
345 FRCOG/MRC15	FRANKLIN REGIONAL COUNCIL OF GOVERNMENT			6,011.12				6,011.12	
346/ADM/OUTSPC	TOWN OF ADAMS	10/24/14	346-093014-5	1,680.00				1,680.00	
346/ADM/OUTSPC	TOWN OF ADAMS			1,680.00				1,680.00	
354 WSH/RM	TOWN OF WASHINGTON	10/24/14	354-102414-RM-WSH	3,300.00				3,300.00	



BERKSHIRE REGIONAL PLANNING COMMISSION  
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Massachusetts Relay Service: TTY: 771 or 1-800-439-2370  
[www.berkshireplanning.org](http://www.berkshireplanning.org)

SHEILA IRVIN, Chair  
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MARIE RAFTERY, Clerk  
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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:** October 30, 2014  
**SUBJ:** Agenda Items

**III. Financial Reports**

C. Status of Receipt of Community Assessments for FY 2015

We have received assessments from all municipalities, except Windsor. They have been sent the original notice and bill and a reminder letter in September. I will follow up with a second letter immediately.

**V. Clearinghouse Review – DEIR for Connecticut Expansion Project (Sandisfield & Tyringham)**

The Clearinghouse Review Committee will meet on Tuesday, November 2<sup>nd</sup>, to review draft comments on the Draft Environmental Impact Report submitted by Tennessee Gas Pipeline Company for the Connecticut Expansion Project. The pipeline construction is in Sandisfield, with a pipeyard (construction staging area) located in Tyringham. Tyringham Road and local roads in Otis, connecting the two, will also be impacted by the transport of heavy equipment and the pipe sections. We will send the Executive Committee the final draft comments on Wednesday, subsequent to the Clearinghouse Review Committee's meeting.

**VI. Items Requiring Action**

A. Approval to Submit Grant Application to the U.S. Environmental Protection Agency for Brownfields Assessment Program

Approval is requested for the Executive Director to submit a grant application to the U.S. Environmental Protection Agency for the regional brownfields assessment program and to sign any resulting contracts and agreements. We are essentially out of assessment funds for Hazardous Sites and are running short on Petroleum site funds as well. This is the program for which we cannot be compensated for overhead costs; for the past two years the primary benefitting municipalities have covered this expense for us. The new federal authorization bill, which has been released from the Senate Public Works & Infrastructure Committee with bi-partisan support, does allow reimbursement for administrative costs. Whether it can advance in the current Washington political climate is unknown.

- B. Approval to Submit Grant Application to the Massachusetts Environmental Trust for Conservation Commission Training on Wetlands Permitting for Natural Gas Pipelines

Approval is requested for the Executive Director to submit a grant application to the Massachusetts Environmental Trust for training for conservation commissions on their role in wetlands permitting for natural gas pipelines regulated by FERC and to sign any resulting contracts and agreements. No local match is required.

## VIII. Executive Director's Report

- A. Report on New Contracts/Agreements

Since your last meeting on October 9th, we have entered into the following new contracts:

- Department of Housing & Community Development District Local Technical Assistance Program for 2015 – Project Manager – Senior Planner Brian Domina
- U.S. Economic Development Administration Planning Grant – Project Manager: Senior Planner Brian Domina

- B. Public Health Alliance Services

The Berkshire Public Health Alliance is having discussions with several additional towns about possibly providing either inspectional or public health nursing services.

BPHA may act as the fiscal agent for the Medical Reserve Corps but final decisions about that have not yet been made.

In collaboration with the Northern Berkshire Community Coalition and others, the BPHA has established a Hepatitis C Working Group. Hepatitis C has been a growing and important public health issue, with a steep rise in occurrences in Berkshire County, much related to the rise in heroin use. One of the critical issues is the sharing of needles, leading to a discussion regarding whether a needle exchange program might be initiated.

For further information about Public Health Alliance Services, contact Public Health Program Manager Laura Kittross at [lkittross@berkshireplanning.org](mailto:lkittross@berkshireplanning.org) or 413-442-1521, ext. 37.

- C. Massachusetts Energy Facility Siting Board Public Hearing on Tennessee Gas Pipeline Connecticut Expansion Project – November 5<sup>th</sup>, 7 p.m., Sandisfield Arts Center

The EFSB will be holding its public hearing on the natural gas pipeline project affecting Sandisfield, Tyringham and Otis on Wednesday, November 5<sup>th</sup> in Sandisfield. Both the EFSB and the Federal Energy Regulatory Commission have roles in this process, with FERC having the final authority. This makes it a bit confusing as FERC is developing its Environmental Assessment in much the same time frame that EFSB is developing information as well.

For information, contact Senior Planner Melissa Provencher at 442-1521, ext. 22 or [mprovencher@berkshireplanning.org](mailto:mprovencher@berkshireplanning.org).

- D. Initiation of Federal Energy Regulatory Commission Environmental Assessment Process for Tennessee Gas Pipeline's Connecticut Expansion Project

FERC has initiated the formal scoping process to prepare an Environmental Assessment for the proposed Connecticut Expansion Project which has direct impacts in Sandisfield and Tyringham and significant road impacts in Otis as well. The public scoping meeting on on-site environmental review in Massachusetts was held on October 29<sup>th</sup> in Sandisfield. Comments on the scope of the EA must be received at FERC in Washington, DC no later than Monday, November 10<sup>th</sup>. We will submit a short comment letter and attach our comments for the EENF and DEIR which have been submitted to MEPA over the past several months. We urge the three affected towns to immediately begin negotiations with Tennessee Gas Pipeline for host community agreements in the eventuality that FERC will issue a Certificate of Public Convenience and Necessity. For further

information, contact Senior Planner Melissa Provencher at [mprovencher@berkshireplanning.org](mailto:mprovencher@berkshireplanning.org) or 442-1521, ext. 22.

E. Citizen Planner Training Collaborative Fall Courses – November 13<sup>th</sup> & December 18<sup>th</sup>, BRPC

Attached are the announcement, course descriptions, statewide course schedule, and registration form for the 2014 CPTC Fall Workshop series. These are excellent workshops for both new and experienced planning and zoning board members. For further information, contact Senior Planner Brian Domina at [bdomina@berkshireplanning.org](mailto:bdomina@berkshireplanning.org) or 442-1521, ext. 14.

F. Tennessee Gas Pipeline Company Northeast Energy Direct Project Open Houses

In an early step in the FERC Pre-Permitting Process for TGP's Northeast Energy Direct Project, which will impact eight Berkshire communities directly, TGP announced 12 open houses to be held between November 12<sup>th</sup> and December 11<sup>th</sup>. The only open house in Berkshire County will be held on Tuesday, December 9<sup>th</sup> at Berkshire Community College's West Street Campus in Pittsfield. The open houses are from 6 p.m. to 8 p.m. The complete list is attached.

G. Solicitation of 2015 District Local Technical Assistance Projects from Municipalities

Attached is the Notice of the availability of Local Technical Assistance which went out to the Commission members, chief elected officials, and planning and community development officials this week. Please discuss any possible projects with us as you consider them. Applications must be signed by the Chair of the Select Board in the town or by the Mayor and must be submitted to us no later than (earlier is appreciated) December 11<sup>th</sup>. Work will not commence until January, at the earliest. Priorities have remained the same as last year: Planning Ahead for Housing, Planning Ahead for Economic Growth, or Supporting Regional Services. For further information, contact Senior Planner Brian Domina at [bdomina@berkshireplanning.org](mailto:bdomina@berkshireplanning.org) or 442-1521, ext. 14.

H. FY 15 Peer-to-Peer Technical Assistance Program Grants Availability

The Department of Housing & Community Development has announced the availability of Peer-to-Peer Technical Assistance Grants for projects that support local community development and capacity building activities for municipalities. These can be very useful in launching exploration and discussion about important municipal needs. A copy of the announcement is attached.

I. FY 15 MA Downtown Initiative Program Availability

The Department of Housing & Community Development has announced the availability of funding for the Downtown Initiative Program. This is intended to provide assistance to communities needing assistance with downtown/town center revitalization efforts. A copy of the announcement is attached. For additional information, contact Emmy Hahn at HDCD at 617-573-1364 or email her at [Elizabeth.Hahn@state.ma.us](mailto:Elizabeth.Hahn@state.ma.us). The application deadline is December 4<sup>th</sup>.

J. MassWorks Project Announcements

Three Berkshire communities were among the 31 across the state that received funding through MassWorks for important infrastructure projects. The three successful communities were:

- Clarksburg – \$920,000 for the Cross Town Corridor Project which will repave 3,600 feet of West Cross Road, replace 12 culverts to meet Safe Stream Crossing Standards, and provide safer bicycle and pedestrian accommodations to an area containing the elementary school and town park.
- Pittsfield - \$4.5 million to complete the North Street Streetscape Improvement Project.
- Sheffield - \$675,000 for replacing two failing culverts on County Road, which serves as a primary connector between Sheffield and New Marlborough.

The total awarded was \$66 million statewide, with 31 communities receiving awards, so Berkshire County received 10% of the total in both numbers and amount. Unfortunately, there were 13 applications from the County (105 statewide, requesting \$251 million) so only ¼ of the requests from the region were met.

- J. Announcement of Award of MassDevelopment Brownfields Funds to Town of Great Barrington for Ried Cleaners Site Assessment

The Town of Great Barrington has received a commitment of brownfields funds (\$91,000) from MassDevelopment to conduct much needed further assessment of the Ried Cleaners site, which is on Main Street in the downtown area. This came about from discussions earlier this year at the Berkshire Brownfields Committee and provides a much needed supplement to our overly scarce regional hazardous site assessment funds. Dry cleaning sites tend to be very complex due to the form of contamination and we have two we are currently dealing with in the region. For information, contact Senior Planner Melissa Provencher at [mprovencher@berkshireplanning.org](mailto:mprovencher@berkshireplanning.org) or 442-1521, ext. 22.

- K. Disposal of Surplus (obsolete) Computers

We recently completed the process of disposing of six computers (purchased from 2007-2010) and a printer, per our disposal policy. They were first offered to the municipalities but no one was interested, and then offered to staff who ended up taking all of the machines.

### **VIII. Old Business**

- A. Commission Meeting – November 20<sup>th</sup>

At the November 20<sup>th</sup> Commission meeting, we have the following agenda items:

- Home-Based Business Regulations - planning training topic
- Semi-annual review of progress on *Sustainable Berkshires*.
- Draft EPA Municipal Stormwater Permit Regulations

### **IX. New Business**

- A. BRPC Delegate & Alternate and Staff Informal Holiday Get-Together

Last year we held an informal get-together for Commission members and staff immediately prior to the December Executive Committee meeting. We would like to gauge your interest in doing that again this year. Light food and refreshments would be provided. The Executive Committee meeting will be on December 4<sup>th</sup>.

- B. Briefing Paper on Key Regional Issues for Incoming Governor

In the past, when there has been a change in Governor, we have prepared a fairly short briefing paper on key issues facing the Berkshires and provided that to the transition team in the month after the election. We will prepare a draft and send it to the Executive Committee prior to your meeting on Thursday so that we can discuss it.

### Attachments (5)

2014 CPTC Fall Workshop Series at BRPC  
Tennessee Gas Pipeline Company NED Open House Dates/Locations  
Notice of Availability of DLTA Assistance for 2015  
FY15 Peer-to-Peer Technical Assistance Program Announcement  
Notice of Funding Availability – MA Downtown Initiative Program/DHCD



## 2014 CPTC Fall Workshop Series @ BRPC

**VESTED RIGHTS & NONCONFORMING STRUCTURES & USES**

THURSDAY, NOVEMBER 13, 2014

7:00 PM

PRESENTER: DON DUBENDORF, ESQ.

**READING A SUBDIVISION/ANR PLAN**

THURSDAY, DECEMBER 18, 2014

7:00 PM

PRESENTER: DENNIS G. EGAN, ESQ.

TRAININGS TO BE HELD AT:

BERKSHIRE REGIONAL PLANNING COMMISSION

1 FENN STREET, SUITE 201

PITTSFIELD, MA 01201

**\*\*PLEASE SEE THE ATTACHED BROCHURE FOR REGISTRATION INSTRUCTIONS\*\***



Massachusetts  
CITIZEN PLANNER TRAINING COLLABORATIVE



# Fall Workshops!



Massachusetts Department of Housing  
and Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114



URBAN HARBORS INSTITUTE  
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## Citizen Planner Training Collaborative



# Fall 2014 Workshops

Please post this brochure and discuss it  
at your next Board meeting!

[UMass Extension](#)

[Massachusetts Department of Housing  
and Community Development](#)

[APA—Massachusetts Chapter](#)

[Massachusetts Association  
of Regional Planning Agencies](#)

[Massachusetts Association  
of Planning Directors](#)

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

# Fall 2014 Course Descriptions

## Creating Master Plans

Local officials will learn why and how to prepare, adopt, and implement the master or comprehensive plan described in MGL Chapter 41, Section D. The session will identify the sections of a master/comprehensive plan and specific steps by which the plan will be carried out.

## How to Hold a Perfect Public Hearing (MIIA credit)

This session covers legal and procedural requirements for conducting a public hearing. It also contains video clips to assist boards in avoiding constructive approvals, easing tension between parties over controversial projects and calming chaotic hearings.

## Introduction to the Zoning Act (MIIA credit)

For newer board members, this course addresses the history and purposes of zoning, adoption of zoning bylaws, variances and special permits, public hearing and voting requirements, and other key procedural requirements.

## The Next Chapter of 40B: Targeted Training for Zoning Board Members (MIIA credit)

Topics will include the following: reviewing the initial application for compliance with 40B eligibility and submission requirements; noticing and conducting the required public hearing; scheduling a site visit; retaining Peer Review consultants; securing sufficient project information to make an informed decision; holding deliberation sessions; drafting and issuing the Comprehensive Permit decision; and managing the Comprehensive Permit. The course will be taught by past and present Zoning Board members familiar with the 40B review process through their prior direct 40B experiences. The curriculum has been prepared by a team of 40B experts led by the Citizens Housing and Planning Association's 40B Training Committee in cooperation with CPTC.

## Planning With Community Support

The course describes how to run a planning process—whether it is for a comprehensive plan or master plan—that will have the support of the community with the amendment and implementation process. It will explain how to work with or without consultants to make plans that result in local action.

## Roles and Responsibilities of Planning & Zoning Boards, Part 1 (MIIA credit)

Join us if you are a new Board member or building inspector. This program will launch you into your role as a local official, introduce you to the functions of the two boards and the main tools of planning and zoning.

## Reading a Subdivision Plan

Explains how topography, roads, lot lines, wetlands, drainage, utilities, etc. are delineated on a plan. Aids boards with the decision-making and negotiating process.

## Site Plan Review

The Zoning Act does not contain any provisions for the review of site plans; however, the process can be a very effective tool for a board to review the details, aesthetics and impacts of a potential project. This course explains the difference between site plan approval and special permits; the review process; the types of conditions a board may impose; reasons for disapproval; the appeal process; and the types of information a town can require to be shown on a site plan.

## Special Permits and Variances (MIIA credit)

Participants will hear the difference between special permits and variances; the issues and criteria for decision-making; timeliness; and procedural requirements.

## The Value and Process of Housing Production Planning

This workshop addresses the process and value of a municipality taking on the task of housing planning. Some communities do not have a housing plan or have not done much housing planning except as needed to react to a particular housing proposal. The session will show how to look at existing housing (finding the data), explain how to establish realistic goals and objectives, and lay out a menu of strategies to accomplish goals.

## Vested Rights and Nonconforming Structures and Uses (MIIA credit)

Clarifies the difference between a nonconforming structure, lot and use. Explains the difference between a nonconforming and a noncompliant structure; familiarizes board members with issues regarding alterations to nonconforming structures or uses. Describes separate and common protection, as well as vested rights for subdivision and ANR plans.

## Thank You to Our Collaborators

The Citizen Planner Training Collaborative expresses its gratitude to the Regional Planning Agencies and other organizations supporting the Fall 2014 sessions:

Berkshire Regional  
Planning Commission

Cape Cod Commission

Central Massachusetts Regional  
Planning Commission

Franklin Regional Council  
of Governments

Martha's Vineyard Commission

Merrimack Valley Planning  
Commission

Metropolitan Area Planning  
Council

Montachusett Regional Planning  
Commission

Northern Middlesex Council  
of Governments

Old Colony Planning Council

Pioneer Valley Planning  
Commission

**Thank you to our moderators, trainers and workshop site coordinators. Special thanks to CHAPA and DHCD for coordinating the 40B workshops.**

## Major sponsors of the Fall 2014 Workshops:



URBAN HARBORS INSTITUTE  
UNIVERSITY OF MASSACHUSETTS BOSTON

## Save the date!

The next CPTC Spring Conference takes place on Saturday, March 21, 2015 at Holy Cross College in Worcester. Contact CPTC if you have suggestions for session topics.

# Citizen Planner Training Collaborative

## Fall 2014 Course Schedule

No.	Course Title	Day/Time	Trainer	Location/Sponsor
1	Site Plan Review	10/8/2014 6:30–8:30 p.m.	Wayne Feiden, FAICP, City of Northampton	PVPC, 60 Congress Street, 2nd floor, Springfield Sponsor: Pioneer Valley Planning Commission
2	Introduction to the Zoning Act	10/16/2014 7:00–9:00 p.m.	Kurt Gaertner, AICP, MA Executive Office of Energy and Environmental Affairs	MRPC Conference Room, 1427R Water Street, Fitchburg Sponsor: Montachusett Regional Planning Commission
3	How to Hold a Perfect Public Hearing	10/21/2014 6:00–8:00 p.m.	Krisitn Kassner, AICP, Town of Burlington	Burlington Town Hall Annex, Meeting Room A, 29 Center Street, Burlington Sponsor: Metropolitan Area Planning Council
4	Site Plan Review	10/21/2014 6:00–8:00 p.m.	Paul Bobrowski, Esq.	FRCOG, 12 Olive Street, 1st floor conference room, Greenfield Sponsor: Franklin Regional Council of Governments
5	Vested Rights and Nonconforming Structures and Uses	10/25/2014 8:30–10:30 a.m.	Joel B. Bard, Esq., Kopelman and Paige, P.C.	MVC, 33 New York Avenue, Oak Bluffs Sponsor: Martha's Vineyard Commission
6	Roles & Responsibilities of Planning & Zoning Boards, Part 1	10/27/2014 7:00–9:00 p.m.	Pam Brown, Esq., FAICP, Brown and Brown, P.C.	MVPC, 160 Main Street, Haverhill Sponsor: Merrimack Valley Planning Commission
7	Special Permits and Variances	10/28/2014 6:00–8:00 p.m.	Paul Bobrowski, Esq.	FRCOG, 12 Olive Street, 1st floor conference room, Greenfield Sponsor: Franklin Regional Council of Governments
8	Introduction to the Zoning Act	10/29/2014 7:00–9:00 p.m.	Elizabeth Lane, Esq., Kopelman and Paige, P.C.	OCPC, 70 School Street, Brockton Sponsor: Old Colony Planning Council
9	The Next Chapter in 40B: Targeted Training for Zoning Board Members	10/29/2014 7:00–9:00 p.m.	Paul Haverty, Esq., Regnante, Sterio & Osborne LLP	NMCOG, 40 Church Street, Suite 200, Lowell Sponsor: Northern Middlesex Council of Governments
10	Planning with Community Support	10/29/2014 7:00–9:00 p.m.	Ezra Glenn, AICP, Massachusetts Institute of Technology	Littleton Police Headquarters, Community Room, 500 Great Road, Littleton Sponsor: Metropolitan Area Planning Council
11	How to Hold a Perfect Public Hearing	10/30/2014 7:00–9:00 p.m.	Brian Currie, AICP, Town of Falmouth	Brewster Town Hall, Rooms A & B, 2198 Main Street, Brewster Sponsor: Cape Cod Commission
12	Creating Master Plans	11/6/2014 7:00–9:00 p.m.	Ralph Willmer, FAICP, VHB-Vanasse Hangen Brustlin, Inc.	Framingham Memorial Building (Town Hall), 150 Concord Street, Framingham Sponsor: Metropolitan Area Planning Council
13	Site Plan Review	11/11/2014 7:00–9:00 p.m.	Angus Jennings, AICP, A. G. Jennings, LLC	OCPC, 70 School Street, Brockton Sponsor: Old Colony Planning Council
14	Site Plan Review	11/12/2014 7:00–9:00 p.m.	Angus Jennings, AICP, A. G. Jennings, LLC	Barnstable Town Hall, Selectmen's conference room, 367 Main Street, Hyannis Sponsor: Cape Cod Commission
15	Creating Master Plans	11/13/2014 7:00–9:00 p.m.	Ralph Willmer, FAICP, VHB-Vanasse Hangen Brustlin, Inc.	MRPC Conference Room, 1427R Water Street, Fitchburg Sponsor: Montachusett Regional Planning Commission
16	Vested Rights and Nonconforming Structures and Uses	11/13/2014 7:00–9:00 p.m.	Donald Dubendorf, Esq., Dubendorf Law	BRPC, 1 Fenn Street, Suite 201, Pittsfield Sponsor: Berkshire Regional Planning Commission
17	Special Permits and Variances	11/17/2014 7:00–9:00 p.m.	Pam Brown, Esq., FAICP, Brown and Brown, P.C.	MVPC, 160 Main Street, Haverhill Sponsor: Merrimack Valley Planning Commission
18	Creating Master Plans	11/18/2014 7:00–9:00 p.m.	Judi Barrett, RKG Associates, Inc.	CMRPC, Union Station, 2 Washington Square, 2nd floor, Grant Conference Room, Worcester Sponsor: Central MA Regional Planning Commission
19	Introduction to the Zoning Act	11/18/2014 7:00–9:00 p.m.	Kurt Gaertner, AICP, MA Executive Office of Energy and Environmental Affairs	NMCOG, 40 Church Street, Suite 200, Lowell Sponsor: Northern Middlesex Council of Governments
20	The Value and Process of Housing Production Planning	11/20/2014 7:00–9:00 p.m.	Judi Barrett, RKG Associates, Inc.	CMRPC, Union Station, 2 Washington Square, 2nd floor, Grant Conference Room, Worcester Sponsor: Central MA Regional Planning Commission
21	Reading a Subdivision Plan	12/18/2014 7:00–9:00 p.m.	Dennis G. Egan, Esq., Cohen Kinne Valicenti & Cook LLP	BRPC, 1 Fenn Street, Suite 201, Pittsfield Sponsor: Berkshire Regional Planning Commission

## Who Should Attend:

- Planning, zoning, building, conservation officials
- Citizens interested in land-use and development issues in their communities
- Municipal staff members who serve boards and planning departments
- Professional planners, and others who consult with municipal boards

### Cost:

Each workshop is \$30 (unless otherwise noted) and includes valuable handout materials. Payment is due with registration. Town checks may be sent by separate mail and arrive after the deadline.

### Time:

Workshops typically last two hours. Please arrive 10–15 minutes before the workshops.

### Registration Deadline:

Five calendar days before the date of workshop to guarantee that there will be enough space and handouts for you. **We DO NOT confirm registration.** Please assume that you are registered once you have sent in your form or registered online.

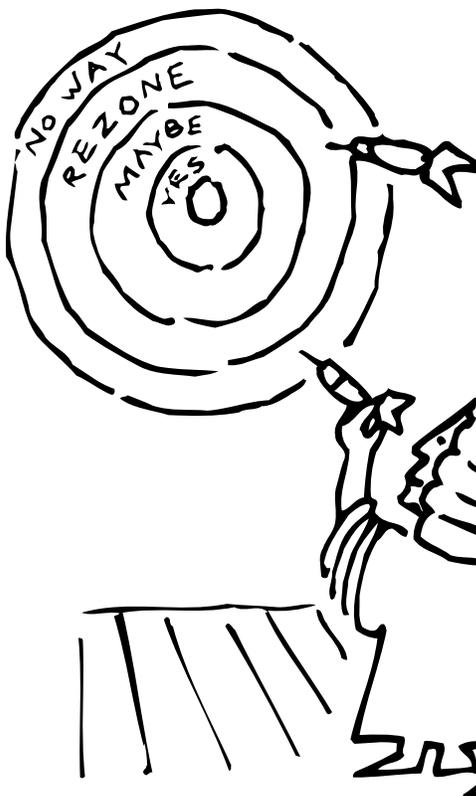
### Refund Policy:

Refunds honored if in writing before workshop date. CPTC reserves the right to cancel workshops. In that case, you will be notified prior to the workshop date and registration fees will be returned.

### Questions:

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

or Elaine Wijnja, DHCD, at (617) 573-1360.



Rendering a decision

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## Interested in other courses?

Contact CPTC for  
**"On-Demand" Training at**  
[coordinator@masscptc.org](mailto:coordinator@masscptc.org)

For a fixed fee of \$400, a cost which may be shared by several cohosting communities, we will have a trainer come to your city or town to address a specific learning topic.

### Refer to our website:

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

## CPTC Core Curriculum

**CPTC offers two certificates to participants who have completed the following workshops:**

### LEVEL 1 CERTIFICATE (complete 3 of the following):

- 1) The Roles and Responsibilities of Planning and Boards of Appeals, Part 1 & 2
- 2) Introduction to the Subdivision Control Law (incl. Approval-Not-Required Lots)
- 3) Introduction to the Zoning Act
- 4) How to Write Reasonable and Defensible Decisions

### LEVEL 2 CERTIFICATE (complete 3 of the following):

- 1) Planning with Community Support (for planning boards only)
- 2) Vested Rights and Nonconforming Structures and Uses
- 3) Zoning Exemptions
- 4) Special Permits & Variances

*CPTC reserves the right to make minor revisions.*

# Registration and Information

## Registration Form (One person per form. Please print clearly.)

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Daytime phone: \_\_\_\_\_

City/Town served: \_\_\_\_\_

Board Affiliation: \_\_\_\_\_

### Workshops attending:

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Do you need a receipt? Yes No

Check enclosed? # \_\_\_\_\_ Check being mailed? Yes No

Online registration is available at [www.masscptc.org](http://www.masscptc.org).

Email registration will not be accepted.

Please make check payable to CPTC and mail complete registration to:

CPTC • P.O. Box 912 • Greenfield, MA 01302 or fax to (413) 625-2099



Tennessee Gas Pipeline  
Company, L.L.C.  
a Kinder Morgan company

## **NED Open House Dates/Locations**

*\*\*All Open Houses are 6pm-8pm*

- **Nov. 12, 2014: North Reading, MA**
  - North Reading High School; 191 Park St., North Reading, MA
- **Nov. 13, 2014: Pepperell, MA**
  - Varnum Brook Elementary School; 10 Hollis St., Pepperell, MA
- **Nov. 17, 2014: Dracut, MA**
  - Richardson Middle School; 1570 Lakeview Ave., Dracut, MA
- **Nov. 18, 2014: Hollis, NH**
  - Hollis-Brookline High School; 24 Cavalier Ct., Hollis, NH
- **Nov. 19, 2014: Northborough, MA**
  - Marguerite Peaslee Elementary School; 31 Maple Street., Northborough, MA
- **Nov. 20, 2014: Ashburnham, MA**
  - Oakmont Regional High School; 9 Oakmont Dr., Ashburnham, MA
- **Dec. 2, 2014: Orange, MA**
  - Orange Innovation Center; 131 West Main St., Orange, MA
- **Dec. 3, 2014: Greenfield, MA**
  - Greenfield Community College; One College Drive, Greenfield, MA
- **Dec. 4, 2014: Schodack, NY**
  - Green Meadow Elementary School- 234 Schuurman Rd., Castleton On Hudson, NY
- **Dec. 9, 2014: Pittsfield, MA**
  - Berkshire Community College; 1350 West St., Pittsfield, MA
- **Dec. 10, 2014: Shelburne, MA**
  - Mohawk Trail Regional High School; 24 Ashfield Rd., Shelburne Falls, MA
- **Dec. 11, 2014: Farmington, CT**
  - Farmington High School; 10 Montieth Dr., Farmington, CT

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

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CHARLES P. OGDEN, Treasurer

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

October 28, 2014

## District Local Technical Assistance 2015

### Notice of Available Technical Assistance

The Berkshire Regional Planning Commission is soliciting eligible projects from its member communities to receive technical assistance under the 2015 District Local Technical Assistance (DLTA) program. Under this program, BRPC staff provides free technical assistance to communities on eligible projects.

#### Description of the DLTA Program

The DLTA fund is an annual grant established via Chapter 29 s2XXX of the Massachusetts General Laws. For fiscal year 2015, this fund received an annual appropriation of \$2.8 million to be distributed statewide to regional planning agencies to support local and regional planning and service provision projects. BRPC received an allocation of \$203,588 for its staff to provide technical assistance to its member communities.

#### Priority Funding Areas for Technical Assistance

A proposed project must fall into one of the following priority funding areas to be considered eligible for technical assistance. Please see Attachment # 1 for examples of eligible projects for each priority funding area and see Attachment # 2 for DLTA projects accomplished over the last two years.

- ★ Planning Ahead for Housing
- ★ Planning Ahead for Growth

- ★ Supporting Regional Services

#### Application Deadline

Applications for technical assistance must be received by 5:00 PM on **December 11, 2014**

#### Instructions

Please complete and return the attached form titled "Request for Technical Assistance" before the application deadline. **All applications must be signed by the Board of Selectmen or Mayor.**

Applicants are strongly encouraged to discuss potential projects with BRPC staff prior to submittal.

#### No Local Match Requirement

There is no local match requirement to receive technical assistance under the 2015 DLTA program.

## **Evaluation of Applications**

Preference will be given to applications that meet the following criteria:

### **Primary Criteria**

- *Regional Cooperation (e.g. involves multiple (3+) municipalities and supports collaboration).*
- *Responds to a regional development need.*
- *Addresses one or more Priority Development or Priority Preservation Areas (local or regional).*
- *Implements components of local plans or previous studies related to economic development or housing, including implementation of items contained in the Sustainable Berkshires Plan.*
- *Enhances the economic competitiveness of the region, including such topics as local permit streamlining, downtown economic revitalization, mixed use development, establishment, expansion, or utilization of a Ch. 43D priority development site.*
- *Addresses the housing needs of a community and/or the region, especially related to 40R districts.*
- *Is likely to catalyze changes “on the ground” (redevelopment, approved zoning changes, new by-laws, service delivery cost savings, inter-municipal collaboration on service delivery or renewable energy use/production, etc.).*
- *Serves as a model for other municipalities.*

### **Secondary Criteria**

- *The extent to which the project can be completed by BRPC staff.*
- *Efforts will be made to distribute projects to different municipalities throughout the region. Multiple projects in a single municipality will only be awarded if funding allows, not including participants in a regional application.*
- *Receipt of and performance on past DLTA projects.*
- *Availability of other funding sources*

## **Decisions & Notice of Awards**

- All decisions are at the discretion of BRPC staff based upon its interpretation of the evaluation criteria and the availability of funding.
- BRPC reserves the right to request additional information before a decision is made.
- If a proposed project exceeds BRPC’s ability to undertake a project through the DLTA program, BRPC and the applicant may engage in a strategic discussion about either reducing the scope of the project or obtaining additional funding (e.g. local contribution, other grants) to complete the portion of the project that exceeds the DLTA-funded elements of the project.
- BRPC anticipates selecting projects for technical assistance in late December. Applicants will be notified in writing of the decisions. Successful applicants should be prepared for a working meeting with BRPC staff in early January to discuss the project.

### **BRPC Contacts:**

If you have any questions or wish to discuss a project idea please contact either:

Thomas Matuszko, Assistant Director, (413) 442-1521 ext. 34, [tmatuszko@berkshireplanning.org](mailto:tmatuszko@berkshireplanning.org))

Brian Domina, Senior Planner, (413) 442-1521 ext. 14, [bdomina@berkshireplanning.org](mailto:bdomina@berkshireplanning.org)).

**This is a great opportunity to receive technical assistance for a project in your municipality.**

**We look forward to hearing from you.**

## ATTACHMENT # 1

### Eligible Projects for Priority Funding Areas

Examples of eligible activities shall include:

- ❖ **Planning Ahead for Housing:** Planning and implementation activities that encourage and support affordable and market-rate housing production opportunities, specifically related to the Statewide Housing Production Goal of 10,000 multi-family units each year, that may include, but are not limited to:
  - ◆ The development of market, mixed-income and affordable multi-family housing in transit-oriented-development locations, employment centers, downtown locations and state endorsed Priority Development Areas<sup>i</sup> (PDAs) within the RPA's jurisdiction, including any "Gateway municipality" (see MGL, c. 23A, s. 3A);
  - ◆ The creation of as-of-right zoning districts such as those eligible under DHCD's Compact Neighborhoods policy or the Chapter 40R Smart Growth statute;
  - ◆ The creation of prompt and predictable permitting through an Expedited Permitting Priority Development Site using Chapter 43D for residential;
  - ◆ Identifying challenges and solutions in respect to infrastructure requirements that affect the ability to construct multi-family residential projects in as-of-right zoning districts and parcels;
  - ◆ Identifying multi-family residential projects subject to the Permit Extension Act (as amended), assessing impediments to such projects, and recommending steps that the Commonwealth and/or the applicable municipality could realistically take to enable, those projects to go forward; and
  - ◆ Regional analysis of affordable and market-rate housing needs, to include, for example, preparation of a *Housing Production Plan* pursuant to 760 CMR 56.00 et. seq., and similar undertakings that may guide the execution of a compact among communities for locating affordable and market-rate housing.
  
- ❖ **Planning Ahead for Growth:** Planning and implementation activities that encourage and support economic development opportunities that may include, but are not limited to:
  - ◆ Identification, assessment and mapping of Priority Development Areas (PDAs) and Priority Preservation Areas<sup>ii</sup> (PPA's) at the local and regional levels, including discussion of specific areas for multi-family housing growth.
  - ◆ Supporting prompt and predictable permitting through the Chapter 43D Expedited Permitting Program for Economic Development projects;
  - ◆ Encouraging communities to use the Economic Development Self-Assessment Tool (EDSAT) to assess economic development opportunities within communities and/or regions and to develop implementation strategies based on EDSAT recommendations;
  - ◆ Identifying challenges and solutions in respect to infrastructure requirements that affect the ability to advance economic development activities;
  - ◆ At a city or town's request, identifying economic development projects subject to the Permit

Extension Act (as amended), assessing impediments, and recommending steps that state and/or the applicable municipality could realistically take to enable those projects to go forward; and

- ◆ Revisions and updates to local land use regulations to encourage the orderly and well planned growth of a municipality.

❖ **Supporting Regional Services:**

- ◆ Shared services (e.g., regional lockup, regional 911 centers, other public safety and emergency response responsibilities, information technology/data management, school district/regional school district analysis, shared professional and administrative services, agreements to operate shared waste disposal/recycling facilities/programs);
- ◆ Collective purchasing (if such purchasing cannot be otherwise accomplished using state-wide contracts or can be achieved regionally for less than the state contract price, or items proposed for purchase are specific to municipal and/or school district agreements); and
- ◆ Cost saving measures that benefit more than one municipality.

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<sup>i</sup> **Priority Development Area:** *Areas within a city or town capable of handling more development due to several factors, including good access, available infrastructure (primarily water and sewer), local support and an absence of environmental constraints. PDAs can range in size from a single lot to many acres. Areas designated under state programs such as Chapter 43D (expedited permitting), Chapter 40R (smart growth zones) or Economic Opportunity Areas are examples of PDAs.*

<sup>ii</sup> **Priority Preservation Area:** *Areas within a city or town that deserve special protection due to the presence of significant environmental factors and natural features, such as endangered species habitats, areas critical to water supply, scenic vistas, or areas of historic significance. Like PDAs, the protection areas can vary greatly in size. Areas of Critical Environmental Concern (ACECs), aquifer recharge areas, and designated priority habitats are examples of PPAs*

**ATTACHMENT # 2**

***PAST DISTRICT LOCAL TECHNICAL ASSISTANCE PROJECTS***

2013

**PLANNING AHEAD FOR HOUSING**

*Adams Workforce Housing (Chapter 40R)*  
*Dalton Housing Needs Assessment*  
*Great Barrington – Sheffield Housing*  
*Needs Assessment*

**PLANNING AHEAD FOR GROWTH**

*Cheshire Renewable Energy Zoning Bylaws*  
*Dalton Landfill Solar PV Facility RFP*  
*Egremont Village Center Zoning*  
*Lee – Lenox Sign Bylaw Revisions*  
*Otis Community Development Planning*  
*Pittsfield Slum & Blight Report*  
*Richmond Shores Zoning Amendments*  
*Sheffield Community Development*  
*Strategy*  
*West Stockbridge Village Center Zoning*

**SUPPORTING REGIONAL SERVICES &  
COLLABORATION**

*Municipal Performance Measures*  
*North Berkshire Online Cultural Calendar*  
*WiredWest CAI Co-location Agreement*  
*Housatonic River – Rest of River Cleanup*  
*Regional Brownfields Planning*  
*Regional Wastewater Study*

2014

**PLANNING AHEAD FOR HOUSING**

*Adams Housing (Chapter 40R)*  
*Becket Housing Planning*  
*Great Barrington Housing Planning*  
*Richmond Housing Planning*

**PLANNING AHEAD FOR GROWTH**

*Cheshire Zoning for Growth*  
*Dalton Economic Development Planning*  
*North Adams Zoning for Growth*  
*Otis Village Planning*  
*Pittsfield West Side Zoning for Growth*  
*Richmond Long Range Financial*  
*Sustainability*  
*Washington Rural Economic Development*  
*Sheffield Zoning for Growth*

**SUPPORTING REGIONAL SERVICES &  
COLLABORATION**

*Regional Economic Development District*  
*Regional Energy Manager*  
*Regional Industrial Sites Report*  
*Regional IT Services*  
*Housatonic River – Rest of River Cleanup*  
*Northeast Gas Pipeline Project*  
*Regional Population Loss Study*  
*Regional Veterans Agent District*





Berkshire Regional Planning Commission
Request for Technical Assistance
District Local Technical Assistance Program, 2015

PART 1. APPLICANT INFORMATION

Lead Municipality: \_\_\_\_\_ Date: \_\_\_\_\_

Point of Contact, Lead Municipality, as designated by the governing body (please print):

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Partner Municipalities: (List all partner municipalities, contacts and contact information (e-mail and phone) from those municipalities:

Four horizontal lines for listing partner municipalities and contact information.

PART 2. TYPE OF ASSISTANCE

Please check the type of assistance requested:

- Planning Ahead for Housing
Planning Ahead for Growth
Supporting Regional Services

PART 3. ASSISTANCE PROPOSAL

Please attach a brief (one-page) summary of the project that addresses the following topics:

- 1. Purpose: Provide a concise statement of the purpose and type of assistance requested.
2. Priority Funding Areas: Provide a concise description of how your assistance request addresses the Priority Funding Areas.
3. Project Background: Briefly describe how the proposed project fits with other municipal objectives such as community comprehensive plan implementation, economic development, etc.
4. Project Start Date: Please provide the anticipated date that those involved in the project can begin work.

5. **Project Scope:** Please list and provide a short description of the major tasks and anticipated timeline to achieve the proposed project.
6. **Desired Results:** Please provide a description of the results (deliverables or products) that are desired as an outcome of this project.
7. **Local Official/Staff Commitment:** Please provide a description of the municipal officials/committee members/ staff members who will be involved with this project, clearly indentifying their roles.

**PART 4. APPLICATION SUBMITTAL PROCESS**

Applications are due by 5:00 pm **December 11, 2014.**

Application packets may be sent via-email (preferred), mail or fax to:

Brian Domina, Senior Planner  
 1 Fenn Street, Suite 201  
 Pittsfield, MA 01201  
[bdomina@berkshireplanning.org](mailto:bdomina@berkshireplanning.org)  
 Fax (413) 442-1523

Please note that any awards made under this solicitation are contingent on the continuing availability of funds provided to BRPC from the Commonwealth of Massachusetts.

**PART 5. AUTHORIZED SIGNATURE**

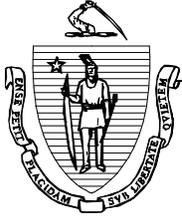
Please include the signature of the Chief Elected Official authorizing you to submit this request.

**Name** \_\_\_\_\_ **Date** \_\_\_\_\_

**Title** \_\_\_\_\_

**Signature** \_\_\_\_\_

(MAYOR/SELECT BOARD CHAIR)



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Aaron Gornstein, Undersecretary

**FY15 PEER-TO-PEER  
TECHNICAL ASSISTANCE PROGRAM**

**GRANTS AVAILABLE**

**Attention CDBG Non-Entitlement Communities**

DHCD awards small grants to CDBG non-entitlement communities to hire Peer Consultants for short-term problem solving or technical assistance projects that support local community development and capacity building activities. Municipalities may apply for grants of \$1,000 to pay for up to 30 hours (\$900) of Peer Consultant assistance and up to \$100 for reimbursement of their travel, photocopying and the cost of incidental materials. A Peer Consultant must be a local elected or appointed official or municipal employee from another community.

**The Peer-to-Peer Program Can Help You**

- To apply, send a request letter to DHCD describing your problem or issue.
- DHCD will help you locate a Peer from another community with the expertise you need to address your problem or issue.
- Funds are limited. Applications are accepted on a rolling basis and awards are made on a first-come first-serve basis.
- Apply now! Projects must be completed by June 30, 2015.
- DHCD has funding for up to ten Peer grants each year.

For more information go to the **Peer-to-Peer Technical Assistance Program** webpage at: [www.mass.gov/dhcd](http://www.mass.gov/dhcd) search: Peer or contact Carol Wolfe at 617-573-1450 or [Carol.Wolfe@state.ma.us](mailto:Carol.Wolfe@state.ma.us).

**From:** massplanners-bounces@cs.umb.edu on behalf of Hahn, Elizabeth (OCD)  
<elizabeth.hahn@state.ma.us>  
**Sent:** Tuesday, October 21, 2014 1:38 PM  
**To:** massplanners@cs.umb.edu  
**Subject:** [Massplanners] Notice of Funding MDI 2015 Technical Assistance Application  
**Attachments:** ATT00001.txt



## *Massachusetts Downtown Initiative*

Department of Housing & Community Development, 100 Cambridge Street, Boston, MA 02114

## **NOTICE OF FUNDING AVAILABILITY**

### **MA Downtown Initiative Program/ MA Department of Housing & Community Development**

### **Deadline for Grant: December 4, 2014 – 5:00pm**

The MDI 2015 Technical Assistance Application is now available for **non-entitlement** communities needing assistance with downtown/town center revitalization efforts.

For a program description and requirements go to:

[www.mass.gov/dhcd](http://www.mass.gov/dhcd) (Under DHCD News & Reports)

or get the MDI Application Webpage by clicking [here](#).

For additional information contact Emmy Hahn at 617.573.1364  
or e-mail [Elizabeth.hahn@state.ma.us](mailto:Elizabeth.hahn@state.ma.us)

Emmy Hahn  
Coordinator, MA Downtown Initiative  
MA Department of Housing & Community Development  
100 Cambridge Street, Boston, MA 02114  
617.573.1364

2011 American Planning Association – Comprehensive Planning Award Recipient  
2012 COSCDA Sterling Achievement Award for Community Development

**BERKSHIRE REGIONAL PLANNING COMMISSION**

1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201

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

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

SHEILA IRVIN, Chair  
RENE WOOD, Vice-Chair  
MARIE RAFTERY, Clerk  
CHARLES P. OGDEN, Treasurer

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:** October 7, 2014  
**RE:** **September Technical Assistance Activities**

This report highlights technical assistance provided by the staff of the Berkshire Regional Planning Commission for the month of September 2014. 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.

<b>Town/City/State</b>	<b>Municipal Technical Assistance</b>	<b>Board/Organization</b>
Adams	Provided information on property taxes and on use of outside property assessing firms across the county.	Town Administrator
Lanesborough	Provided technical assistance on the next steps for flooding of residential properties along Town Brook.	Town Administrator
Lenox	Provided assistance with the review of an ANR plan and an opinion on whether a lot is buildable.	Building Inspector
Lenox	Provided assistance with interpreting language from the town's zoning bylaw.	Building Inspector
Peru	Provided technical assistance with the establishment of the Board of Health.	Select Board Member

<b>Assistance Recipient</b>	<b>Non-Municipal Technical Assistance</b>	<b>Organization</b>
Private	Provided information to municipalities.	Private Solar Developer