

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 · FAX (413) 442-1523
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

A meeting of the Berkshire Regional Planning Commission
will be held on:

Thursday, July 16, 2015, at **5:30** p.m.

Berkshire Regional Planning Commission Offices
Pittsfield, Massachusetts

Meeting Material: All written materials for the meeting are posted on BRPC's website:
www.berkshireplanning.org. Click on the calendar date for the meeting and materials available
will be listed.

AGENDA

- I. Opening (5:30-5:35)**
- A. Call to Order
 - B. Roll Call
 - C. Approval of Minutes of May 21, 2015 Meeting
- II. Comments from the Public (5:35—5:45)**
- Members of the public may offer comments regarding topics which are on the agenda or other matters which they wish to bring to the Commission's attention. Comments are limited to no more than three minutes and are to be directed to the Commission.*
- III. Delegates' Issues (5:45-5:50)**
- Delegates and Alternates may bring up any issue not on the agenda.*
- IV. Election of BRPC Officers for FY 2016 (5:50-6:00)**
- The Nominating Committee proposed the following slate of officers for FY 2015:*
- Chair: Sheila Irvin, Pittsfield Delegate*
 - Vice Chair: Kyle Hanlon, North Adams Delegate*
 - Clerk: Marie Raftery, Stockbridge Alternate*
 - Treasurer: Charles Ogden, Egremont Alternate*
- Nominations will be taken from the floor.*
- V. Endorsement of Committee Chair and At-Large Executive Committee Member Appointments (6:00-6:05)**

VI. Tennessee Gas Pipeline's Northeast Energy Direct Project (6:05-6:45)

The Federal Energy Regulatory Commission has issued a Notice of Intent to develop the scope for the Environmental Impact Statement for the large interstate natural gas pipeline which will cross the Berkshires. A FERC public hearing on the scope will be held on Tuesday, July 28th, 7 p.m. (sign-up to speak starting at 6 p.m.) at Taconic High School in Pittsfield. Deadline for comments to FERC on the scope is August 31st. Staff will present information on the process, initial thoughts on key areas of concern, and the alternatives which involve about half the communities in the region.

VII. Consideration of Proposed Amendments to the BRPC Bylaws (6:45-6:50)

VIII. Approval of Executive Committee Actions between May 21 and July 16, 2015 (6:50-6:55)

IX. Executive Director's Report (6:55-7:00)

- A. Resignation of Senior Transportation Planner Doug Plachcinski
- B. Resignation of Administrative Assistant Judy Wagner
- C. 2016 District Local Technical Assistance & Community Innovation Challenge Grant Funding
- D. Nominations for 2015 Charles Kusik Award for Outstanding Contributions to Planning in Berkshire County
- E. Public Hearing on Scope of Environmental Impact Statement for Tennessee Gas Pipeline's Northeast Energy Direct Project – Tuesday, July 28th, 7 p.m., Taconic High School Pittsfield; Deadline for written comments – Monday, August 31st
- F. New Planning Board and Zoning Board of Appeals Member Training – Thursday, July 30th, BRPC
- G. 2015 MassWorks Applications Open
- H. State Regulatory Review Feedback Portal
- I. Assistance to Lee in Developing Open Space & Recreation Plan
- J. Assistance to Dalton in Developing Updated Master Plan
- K. Tufts Foundation Award to Berkshires Tomorrow for Age Friendly Community Program
- L. EPA Section 604b Grant Announcement for Stormwater Permit Assistance Project
- M. Other

X. Adjournment (7:00)

Other interested citizens and officials are invited to attend.

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

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Executive Director

DRAFT MINUTES OF THE BERKSHIRE REGIONAL PLANNING COMMISSION MEETING

Thursday, May 21, 2015
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: 7:00 PM

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

B. Introductions/Roll Call

The following Commission members are present:

Caleb Darby – Dalton Delegate
Malcolm Fick – Gt. Barrington Delegate
Mark Smith – Lenox Delegate
Robert Bott – Mt. Washington Delegate
Kyle Hanlon – North Adams Delegate
Sheila Irvin – Pittsfield Delegate
Marie Raftery – Stockbridge Alternate
Sarah Hudson – Tyringham Alternate
Marilyn Wiley – Washington Delegate
Roger Bolton – Williamstown Alternate

Staff Present:

Tom Matuszko – Assistant Director
Mark Maloy – GIS, Data and IT Manager
Doug Plachcinski – Senior Transportation Planner (remote)
Clete Kus – Transportation Manager

Others Present: None

C. Approval of Minutes of Commission Committee Meeting of March 19, 2015 Meeting

Kyle Hanlon moved to approve; Seconded by Marie Raftery. Unanimously approved with 2 abstention.

II. Comments from the Public - none

III. Delegates' Issues – Malcom Fick, delegate from Gt. Barrington asked what position BRPC has taken regarding the pipeline. Tom replied BRPC has not taken a position on the pipeline. Instead BRPC has been assisting municipalities by providing technical guidance on the permitting process and technical assistance regarding natural resources and roads. BRPC is working to minimize the impacts if the pipeline goes through. BRPC is also working on possible community benefits. The municipalities could receive benefits if the pipeline goes through.

Tom announce there will be a presentation on the federal review process June 3rd at Berkshire Community College. Tom informed the group he learned the Federal Energy Regulatory Commission (FERC) has requested Kinder Morgan reconsider the alternate routes; the existing 200 line or the Massachusetts Turnpike Alternative.

Marie Raftery, BRPC's representative to the Westfield River Wild & Scenic Advisory Committee left copies of the Wild & Scenic Westfield River Committee 2014 Annual Report with BRPC.

IV. Consideration of Draft Transportation Improvement Program for FY 2016-2019

Clete Kus, Transportation Manager gave an overview of the draft Transportation Improvement Program for FY 2016 to FY 2019. Clete explained the TIP is a financial document that is reviewed annually for road and bike projects that meet requirements for federal aid. The process is to identify the projects that will have the greatest benefit to improving transportation in the region. The Berkshire MPO adopts the four-year Transportation Improvement Program (TIP) for the use of federal transportation funds for the region. The Commission has a vote on the MPO regarding the projects under the TIP. The draft TIP will be released for public comment.

Clete explained we would receive \$29 million for the next four years. Clete reviewed the projects recommended for FFY 2016 to 2019. The projects in FFY 2016 are at the 75% design stage.

Scenario 2 is being presented due to the Pittsfield, West Housatonic and Center Street project being pushed out until FFY 2016 because the project is at the 25% design stage. Also, in Scenario 2 all money would be spend in each federal fiscal year.

Clete reviewed bike/trail projects for FFY 2016 to 2017 and bridge projects for FFY 2016 to 2017. The projects listed are funded from separates sources of money.

Tom asked the Commission to recommend how the chair should vote on the TIP at the MPO meeting on May 26th.

Kyle Hanlon made a motion for the Chair to endorse Scenario 2 at the next MPO meeting; Marie Raftery seconded. Unanimously approved.

V. Consideration of Draft Transportation Unified Planning Work Program for FY 2016

Clete Kus gave an overview of the draft Transportation Unified Planning Work program which is an annually review of the planning activities for the next federal fiscal year for Berkshire County. BRPC receives just under ½ million dollars for work for FFY2016. The money is divides into individual tasks:

- Management & Certification - covers development of the TIP, UPWP and the RTP.
- Technical Support – GIS and data collection
- Planning Studies – 8 planning tasks
- Other Activities – Local Technical Assistance, MEPA reviews and 5th Thursday Training.
- Direct Expenses – software licenses, traffic counts and travel expenses

Clete reviewed specific projects under the Planning tasks; special studies, Bicycle Planning, Transportation Community System Preservation, Regional Transit Planning, Safety Initiatives, Climate Change/Green House Gas, Public Participation and Moving Ahead for Progress in the Twenty First Century (Map 21) Performance Measures.

The Commission has a vote on the MPO regarding the UPWP. Clete asked for the Commission to recommend to the chair how to vote at the MPO meeting on May 26th.

Roger Bolton made a motion for the Chair to vote in favor of the UPWP as presented; Kyle Hanlon seconded. Unanimously approved

VI. 2015 Berkshire Regional Transportation Plan – Proposed Primary Recommendations

Doug Plachcinski, Senior Transportation Planner, gave a presentation on the primary recommendations of the draft 2016 Regional Transportation Plan that will be released for public review and comment at a future MPO meeting. The public review and comment period will be for 30 days.

Bob Bott restated the region's current needs are \$1.3 billion dollars and the region will expect \$300 million in revenue. Doug explained the \$300 million in revenue is from federal funding only. There is also current local road or bridge improvements of \$275 million that are not eligible for federal funding.

Sarah Hudson asked if small vans or mini buses could be used to increase ridership. Doug explained BRTA is using smaller vehicles for feeder routes. Doug will add to the RTP a policy recommendation to support and increase ridership by using vans or mini buses.

VII. Berkshire Economic Development Sites Report

As a results of the Comprehensive Economic Development Strategy (CEDS) planning process a project to look at available industrial sites was done and funded from District Local Technical Assistance. The report has been completed which provides information on the relatively few vacant or underutilized sites available across the region to retain or attract even small or medium sized manufacturers.

GIS, Data & IT Manager Mark Maloy presented the results of the study. It is our hope that the planning boards across the region, but particularly in communities with public water and sewer utilities, carefully consider this information in their planning.

Mark explained the methodology in gathering and analyzing the data. A total of 132 sites are available in the region. There are 10 sites over 10 acres. Mark pointed out sites for new development and sites for redevelopment.

The results show the following:

- Lack of significantly sized vacant parcels for commercial and industrial development is a major concern for attracting new development.
- Age, capacity and location of current water, sewer, gas, and electric infrastructure is a detriment to attracting or expanding businesses.
- Suitable land exists in the county, but is zoned residential.
- Significant amount of vacant buildings requiring significant investment for redevelopment. Without investment, properties will continue to deteriorate and be unsuitable for any sort of development within a decade.

Takeaways:

- Review your zoning.
- Add Commercial/industrial land where it is suitable.
- Improve the infrastructure going to priority sites.
- Examine potential uses on high priority sites.

III. Consideration of BRPC Budget for FY 2016

Tom gave an overview of the recommended budget for FY2016 of \$2.9 million.

Bob Bott moved to approve BRPC's budget for FY 2016; Seconded by Kyle Hanlon. Unanimously approved

IX. Report of the Nominating Committee – Slate of Officer Candidates for FY 2016

Sarah reported the Nominating Committee would like the current slate of officers to remain for FY2016:

SHEILA IRVIN, Chair
KYLE HANLON, Vice-Chair
MARIE RAFTERY, Clerk
CHARLES P. OGDEN, Treasurer

The election will be on the agenda for a summer meeting; at that time additional nominations will be taken from the floor.

X. Approval of Executive Committee Actions between March 19 and May 21, 2015

Kyle Hanlon moved to approve all Executive Committee Actions between March 19 and May 21, 2015; seconded by Marie Raftery. Unanimously approved.

XI. Executive Director's Report

A. Status of District Local Technical Assistance Funding for 2016

Tom mentioned commission members may receive from Nat communication on supporting DLTA funding. Sheila pointed out commission members should communicate with Ben Downing how your community benefits from DLTA funding.

B. Young Adult Population Survey Results

C. ABCs of Form-Based Codes – Tuesday, May 26th, 8:30 a.m. – 5 p.m., Pioneer Valley Planning Commission, Springfield

D. Age Friendly Community Summit – Monday, June 1, 10:00-noon, ITAM, Pittsfield

E. Municipal Roles & Responsibilities in Permitting Interstate Natural Gas Pipelines – Wednesday, June 3rd, 6 p.m., Berkshire Community College

Tom explained this is an informational session on the permitting process and an engineer will give a basic explanation on pipeline construction. Select boards, Planning boards and the Conservation Commissions should attend.

F. Other - none

XII. Adjournment

Kyle Hanlon made a motion to adjourn; seconded by Bob Bott. Unanimously approved. Adjourned at 9:00 pm.

Materials distributed or presented during this meeting:

Meeting Agenda
Draft Meeting Minutes
Approval of Executive Committee Actions Memo
Executive Director's Report
Memo – Consideration of Proposed TIP for FY 2015-2018
Scenario 2 – Berkshire MPO FFY2016-2019
Memo – Consideration of Proposed Transportation UPWP FY2016
Consideration of BTPC Budget for FY2016
Clearinghouse Review Report – Connecticut Expansion Project
Letter Murdock Pond and Basin Dredging Projects
Age Friendly Summit
ABCs of Form-Based Codes - PVPC
TIP presentation
UPWP presentation
RTP presentation
Berkshire Economic Development Site presentation
Wild & Scenic Westfield River Committee 2014 Annual Report

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NOTICE OF PROPOSED AMENDMENT OF THE BYLAWS Of the Berkshire Regional Planning Commission

In accordance with the requirements of the Bylaws of the Berkshire Regional Planning Commission, notice is given that the following amendments are proposed to the Commission's Bylaws and will be on the agenda for the Commission's meeting of July 16, 2015:

D.9.3. The ~~Clearinghouse-Environmental~~ Review Committee shall consist of at least five (5) members. It shall review projects requiring state or federal environmental permits. It may review requests for funding assistance from state or federal agencies and local land use actions for potential regional impacts and compliance with adopted regional plans. The Committee shall advise the Commission or the Executive Committee regarding its recommendations and requested conditions before a given project or action is approved or denied by state, federal, or local authorities.

~~D.9.6.—[language had previously been deleted]~~

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MEMORANDUM

TO: Delegates and Alternates, Berkshire Regional Planning Commission
FROM: Nathaniel W. Karns, AICP, Executive Director
DATE: June 9, 2015
SUBJ: Approval of Executive Committee Actions

In accordance with the bylaws, all actions taken by the Executive Committee on the Commission's behalf must be endorsed at the next Commission meeting.

The Executive Committee took the following actions at its June 4, 2015 meeting:

- **Approved the Executive Director on behalf of the Commission to Submit an Application to Community Organizations Active in Disasters (COAD)**

Approval was requested to submit an application to COAD and for the Executive Director to enter into any associated contracts and agreements. This is the fourth year of a Western Region Homeland Security Advisory Council (WRHSAC) project to integrate private community resources such as the Faith Community, American Red Cross, Salvation Army, Food Bank, Elder Services, Head Start and many other community based organizations into the emergency response system in a coordinated way. The potential funding range is \$2,500 - \$20,000. There is no match requirement, although some Public Health Emergency Preparedness (PHEP) money may be used to enhance the project.

- **Approved the Executive Director on behalf of the Commission to Submit an Application to Western Massachusetts Homeland Security Advisory Council (WRHSAC) for Shelter Planning**

Approval was requested to submit an application to WRHSAC for shelter planning and for the Executive Director to enter into any associated contracts and agreements. This project would assist the 3 Berkshire Regional Emergency Planning Committees (REPC) to develop and improve plans for 3 regional shelters in Berkshire County. Awarded funding range is \$5,000 - \$15,000. There is no match requirement, although some Public Health Emergency Preparedness (PHEP) money may be used to enhance the project.

- **Approved the Executive Director on behalf of the Commission to Submit an Application to WRHSAC for Multi-Agency Coordination Center (MACC)**

Approval was requested to submit an application to WRHSAC for MACC planning and for the Executive Director to enter into any associated contracts and agreements. This WRHSAC project would assist the Central and Southern Berkshire REPCs in planning for regional emergency operations centers to coordinate information and resources during large-scale, regional emergencies. Awarded funding is \$10,000. There is no match requirement, although some Public Health Emergency Preparedness (PHEP) money may be used to enhance the project.

- **Approved the Executive Director on behalf of the Commission to Submit an Application to WRHSAC for Shelter Training**

Approval was requested to submit an application to WRHSAC for shelter training and for the Executive Director to enter into any associated contracts and agreements. This proposed WRHSAC Training and Exercise project would fund the creation of an in-person train-the-trainer shelter training workshop to support the proposed regional shelters by training shelter team leaders and volunteers. Potential funding range is \$10,000 to \$50,000. There is no match requirement, although some Public Health Emergency Preparedness (PHEP) money may be used to enhance the project.

- **Approved the Executive Director on behalf of the Commission to Submit a Grant Application to the Centers for Disease Control/Department of Public Health for Climate Change Planning for Vulnerable Populations**

Approval was requested to submit an application to CDC/DPH for climate change impacts and adaptation strategies and for the Executive Director to enter into any associated contracts and agreements. This CDC/DPH funded project would look at climate change impacts and appropriate adaptation strategies to address identified priority issues, especially as they relate to children and seniors. Pending grant range is \$10,000. There is no match requirement.

- **Approved the Executive Director on behalf of the Commission to Submit a Grant Application to the Food & Drug Administration for Regional Food Safety Program**

Approval was requested to submit an application to FDA for regional food safety program and for the Executive Director to enter into any associated contracts and agreements. This Food and Drug Administration grant is up to five years and would support the creation of a regional food safety program including on-line permitting and shared food safety inspectors. Potential funding is \$70,000 per year for five years. There is no match requirement.

- **Approved the Executive Director on behalf of the Commission to Submit a Grant Application to the Federal Highway Administration TIGER Grant Program for Freight Rail Infrastructure Replacement in Canaan, CT, and Sheffield, MA**

Approval was requested to submit an application to the Federal Highway Administration (FHWA) for replacements of the ties and rails on the ConnDOT and MassDOT owned Housatonic Railroad line in Canaan, CT, and Sheffield, MA, and related and necessary culvert and bridge replacements and for the Executive Director to enter into any associated contracts and agreements. The intent of the project is to allow for continued and safer rail freight service to regionally significant rail-dependent manufacturers employing approximately 800 workers in both northwest Connecticut and southern Berkshire County. It is expected that ties and rails would be completely replaced, retiring rail which was installed in 1920 and earlier. MassDOT is pledging \$3 million in State funds to be used as a match for this request to FHWA. BRPC is acting as the applicant, in coordination with Northwest Connecticut Council of Governments, and with the full support of MassDOT, ConnDOT and the Housatonic Railroad Company which has a license to continue to provide rail freight service on this line. All improvements would be complementary for future passenger rail service. If successful, one or both of the State DOT's would probably actually implement the project. No BRPC match is required.

- **Approved the Modified Sick Leave Policy to Reflect New Requirement for Family and Medical Leave**

Approval was requested on the modified policy on Sick Leave to incorporate the requirement to provide sick leave to all employees, including our part-time ones. We should have an updated policy in place by July 1 to be in full compliance with the law.

- **Approved the Accrued Sick Leave Buy Back-Transfer plan to eliminate the long term liability.**

Over a decade ago, we eliminated accrual of sick leave with a pay-out for unused leave upon termination of employment for all new employees. There are five employees remaining under the old system, with a long-term accrued liability for unused sick leave currently at \$42,524. We are trying to

finalize details of a program to shift all of these five to the system used by all other employees, in which sick leave hours are accrued but we do not accrue any cost until the hours are actually used and there would be no payment for accrued sick leave upon ending employment. This is part of an effort to reduce our potential long-term liabilities, regardless of the reason, simply to try to ensure the Commission's financial condition into the future.

- **Approved changes to BRPC's Personnel Pay Plan**

Approval was requested to approve changes to pay plans for internal BRPC staff to ensure competitiveness in salaries that are comparable with our peer's and the addition of a new position.

- **Approved Executive Director to submit comments on behalf of the Commission regarding the Tennessee Gas Pipeline Northeast Energy Direct Project**

The Executive Committee approved the Executive Director to submit comments regarding the Tennessee Gas Pipeline Northeast Energy Direct Project and share BRPC's comments with the Executive Committee and the Commission afterwards.

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Executive Director

MEMORANDUM

TO: Delegates and Alternates, Berkshire Regional Planning Commission
FROM: Nathaniel W. Karns, AICP, Executive Director
DATE: July 7, 2015
SUBJ: Executive Director's Report

Various items warrant mention:

A. Resignation of Senior Transportation Planner Doug Plachcinski

Doug Plachcinski has resigned and returned to Michigan, in part to be close to his two daughters, but also for a career opportunity as Planner/Zoning Administrator for Texas Township, which is located near Kalamazoo. Doug had been with us as Senior Transportation Planner since March 2010 and during his tenure was responsible for two Regional Transportation Plans, conducted a number of local comprehensive pavement management surveys, and coordinated many bike planning activities. We are actively recruiting for a new Senior Transportation Planner.

B. Resignation of Administrative Assistant Judy Wagner

Judy Wagner, our Administrative Assistant, is resigning to become Dalton Town Manager Ken Walto's Administrative Assistant. This is a nice step for Judy who was only part-time for us as this will be a full-time, fully-benefitted position. Judy has been with us since January 2007. Her last day will be July 23rd. We are actively recruiting for a new part-time Administrative Assistant.

C. 2016 District Local Technical Assistance & Community Innovation Challenge Grant Funding

The Budget Conference Committee released the budget this morning and has maintained the past two year's funding level of \$2.8 million for DLTA. We do not yet know the status of funding for the Community Innovation Challenge grant program or the new funding for Community Compacts, all of which are in the same line item.

The next step in the process is for both the House and Senate to take final action on the Conference Committee report. My understanding is that this is a straight up or down vote so further changes are extremely unlikely (and aren't going to be triggered by something as minor as DLTA funding). It then goes to the Governor's desk and he has ten days to accept or reject specific line items. His original budget funded DLTA at a reduced \$2.0 million amount.

For reference, this is budget line item 1599-0026. For further information contact Executive Director Nat Karns at nkarns@berkshireplanning.org or 442-1521, ext. 26.

D. Nominations for 2015 Charles Kusik Award for Outstanding Contributions to Planning in Berkshire County

Attached is the nomination solicitation and form for this year's Kusik Award. The award will be made at our Annual Meeting which is scheduled for Thursday, October 15th. Please make nominations by September 1.

E. Public Hearing on Scope of Environmental Impact Statement for Tennessee Gas Pipeline's Northeast Energy Direct Project – Tuesday, July 29th, 7 p.m., Taconic High School, Pittsfield; Deadline for written comments – Monday, August 31st

Attached is the Federal Energy Regulatory Commission's Notice of Intent for scoping of the Environmental Impact Statement for Tennessee Gas Pipeline's Northeast Energy Director Project. The comment period will end of August 31st. The Berkshire public hearing is scheduled for Tuesday, July 29th starting at 7 p.m. to be at Taconic High School in Pittsfield. People who wish to speak can sign up starting at 6 p.m.

For further information, contact Assistant Director Tom Matuszko (tmatuszko@berkshireplanning.org or 442-1521, ext 34), Executive Director Nat Karns (nkarns@berkshireplanning.org or ext. 26), or Senior Planner Melissa Provencher (mprovencher@berkshireplanning.org or ext. 22).

F. New Planning Board and Zoning Board of Appeals Member Training – Thursday, July 30th, BRPC

Attached is the announcement for the annual workshop to train new Planning Board and Zoning Board members (and older ones who want a refresher). For further information contact Senior Planner Brian Domina at 442-1521, ext. 14 or bdomina@berkshireplanning.org.

G. 2015 MassWorks Applications Open

MassWorks released its application information for 2015 on June 1st. Applications will be due no later than September 4th. Go to www.mass.gov/hed/economic/eohed/pro/infrastructure/massworks for more information on the program. As always, it is helpful if communities will inform us of their applications as we have a role in the review. For further information, contact Executive Director Nat Karns at nkarns@berkshireplanning.org or 442-1521, ext 26.

H. State Regulatory Review Feedback Portal

A copy of an email received earlier today announcing the launch of a Regulatory Review Feedback Portal, as part of a year-long, comprehensive review of Massachusetts regulations is attached. The portal link is www.mass.gov/an/a-clearer-code-regulatory-reform.

I. Assistance to Lee in Developing Open Space & Recreation Plan

BRPC staff are providing assistance to the Town of Lee in developing a new Open Space & Recreation Plan. Having such a plan is a requirement to apply for a PARC (Parkland Acquisition & Renovations for Communities) Program grant. Senior Planner Melissa Provencher, Planner Eammon Coughlin, and Assistant Director Tom Matuszko are providing assistance to the Town.

J. Assistance to Dalton in Developing Updated Master Plan

BRPC is initiating a project to update Dalton's Master Plan. We provided such assistance when the town developed its last master plan in 2001. For further information contact Assistant Director Tom Matuszko at tmatuszko@berkshireplanning.org or 442-1521, ext. 34.

K. Tufts Foundation Award to Berkshires Tomorrow for Age Friendly Community Program

We are pleased to announce that the Tufts Foundation has approved a significant two year grant to support the work of the Age Friendly Community Task Force. This is the first large grant received by our relatively new affiliated non-profit organization, Berkshires Tomorrow, and shows the worth of having such an entity as the funding could only go to a non-profit. This grant is a very positive, immediate follow-up to the Age Friendly Community Summit which was held in early June and had over 150 attendees. We are still analyzing the results of the survey of older adults that was conducted this spring. For further information

contact Public Health Program Manager Laura Kittross at lkittross@berkshireplanning.org or 442-1521 ext. 37.

L. EPA Section 604b Grant Announcement for Stormwater Permit Assistance Project

We are pleased to announce that we have been awarded an EPA Section 604b Assessment Grant to work with the communities affected by the new EPA non-point source discharge stormwater permitting program. As has been presented at Commission meetings, the new regulations affect Pittsfield, Dalton, Cheshire, Hinsdale and Adams, as well as small parts of Lanesborough, Lenox, Richmond and North Adams. Many of the responses can be developed jointly. It will be some months before this project is actually under contract. For further information contact Senior Planner Melissa Provencher at 442-1521, ext. 22 or mprovencher@berkshireplanning.org.

Attachments:

Nomination Form for Charles Kusik Award
FERC Notice of Intent to Prepare an EIS for the Northeast Energy Direct Project
New Planning Board and Zoning Board of Appeals Member Training
A&F Launches Regulatory Review Feedback Portal

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NOMINATION FORM

**Charles Kusik Award for Outstanding Contributions
to Planning in Berkshire County**

The Charles Kusik Award was instituted to recognize projects, groups, or individuals who have made outstanding contributions to planning in Berkshire County. Employees, Delegates and Alternates to the Berkshire Regional Planning Commission are not eligible for the award.

I nominate the following for the Charles Kusik Award:

I believe that this project, group, or individual deserves the award because:

Please return to: Executive Committee, BRPC, 1 Fenn Street, Ste. 201, Pittsfield, MA 01201
Fax Number: 413-442-1523
E-mail: nkarns@berkshireplanning.org

Nominations must be received no later than September 1, 2015.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Tennessee Gas Pipeline Company, L.L.C.

Docket No. PF14-22-000

NOTICE OF INTENT TO PREPARE AN
ENVIRONMENTAL IMPACT STATEMENT FOR THE PLANNED
NORTHEAST ENERGY DIRECT PROJECT,
REQUEST FOR COMMENTS ON ENVIRONMENTAL ISSUES, AND NOTICE OF
PUBLIC SCOPING MEETINGS

(June 30, 2015)

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the Northeast Energy Direct Project (Project) involving construction and operation of facilities by Tennessee Gas Pipeline Company, L.L.C. (Tennessee Gas) in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut. The Commission will use this EIS in its decision-making process to determine whether the Project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the Project. You can make a difference by providing us with your specific comments or concerns about the Project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EIS. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before **August 31, 2015**.

If you sent comments on this project to the Commission **before** the opening of this docket on September 15, 2014, you will need to file those comments in Docket No. PF14-22-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this Project. State and local government representatives should notify their constituents of this planned Project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a Tennessee Gas representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

A fact sheet prepared by the FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?” is available for viewing on the FERC website for Citizen’s Guides (<http://www.ferc.gov/for-citizens/citizen-guides.asp>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission’s proceedings.

Public Participation

For your convenience, there are four methods you can use to submit your comments to the Commission. **The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally.** The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

- 1) You can file your comments electronically using the [eComment](#) feature on the Commission’s website (www.ferc.gov) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;
- 2) You can file your comments electronically by using the [eFiling](#) feature on the Commission’s website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on “[eRegister](#).” If you are filing a comment on a particular project, please select “Comment on a Filing” as the filing type;
- 3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Be sure to reference the Project docket number **PF14-22-000** with your submission; or

- 4) In lieu of sending written or electronic comments, the Commission invites you to attend one of the public scoping meetings its staff will conduct in the Project area, scheduled as follows.

FERC Public Scoping Meetings		
Date and Time	Location	Location
Tuesday, July 14, 2015 7:00 pm	Towanda Jr./Sr. High School 1 High School Drive Towanda, PA 18848 (570) 265-2101	Birch Hill Catering 1 Celebration Way Castleton-on-Hudson, NY 12033 (518) 732-4444
Wednesday, July 15, 2015 6:30 pm	VFW 386 Main St. Great Bend, PA 18848 (570) 879-4420	Birch Hill Catering 1 Celebration Way Castleton-on-Hudson, NY 12033 (518) 732-4444
Thursday, July 16, 2015 7:00 pm	Foothills Performing Arts Center 24 Market St. Oneonta, NY 13820 (607) 431-2080	Days Inn 160 Holiday Way Schoharie, NY 12157 (518) 295-6088
Tuesday, July 28, 2015 7:00 pm	Taconic High School 96 Valentine Rd Pittsfield, MA 01201 (413) 448-9600	
Wednesday, July 29, 2015 6:30 pm	Nashua Radisson 11 Tara Blvd. Nashua, NH 03062 (603) 888-9970	Greenfield Middle School 141 Davis St. Greenfield, MA 01301 (413) 772-1360
Thursday, July 30, 2015 6:30 pm	Milford Town Hall Town Hall, One Union Square Milford, NH 03055 (603) 249-0600	Central Connecticut State University 1615 Stanley St. New Britain, CT 06050 (860) 832-3200
Tuesday, August 11, 2015 7:00 pm	Dracut Senior High School 1540 Lakeview Ave. Dracut, MA 01826 (978)-957-1500	
Wednesday, August 12, 2015 7:00 pm	Lunenburg High School 1079 Massachusetts Ave. Lunenburg, MA 01462 (978) 582-4115	

Please note that on five nights (July 14-16 and July 29-30), meetings will be held concurrently in two different locations. The same information will be presented at all of the meetings.

We¹ are planning on holding one additional scoping meeting near Winchester, New Hampshire, during the week of July 27-31, 2015. We will announce this meeting with a future notice once the location is finalized.

We will begin our sign up of speakers one hour prior to the start of each meeting. The scoping meetings will begin with a description of our environmental review process by Commission staff, after which speakers will be called. Each meeting will end once all speakers have provided their comments or when our contracted time for the facility closes. Please note that there may be a time limit to present comments (no less than 3 minutes), and speakers should structure their comments accordingly. If time limits are implemented, they will be strictly enforced to ensure that as many individuals as possible are given an opportunity to comment. The meetings will be recorded by a stenographer to ensure comments are accurately recorded. Transcripts will be entered into the formal record of the Commission proceeding.

Please note that this is not your only public input opportunity; please refer to the review process flow chart in appendix 1.²

Summary of the Planned Project

Tennessee Gas plans to construct and operate approximately 412 miles of new natural gas transmission pipeline and associated facilities in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut. This Project would also involve modifications at existing compressor and meter stations and construction of 9 new compressor stations, 14 new meter stations, and various appurtenant facilities. These facilities would be capable of providing 2.2 billion cubic feet per day of capacity to transport natural gas to markets in the northeastern United States and Canada.

The pipeline planned for construction includes supply path and market path components. The Supply Path component would deliver gas from the existing Tennessee Gas 300 Line to its existing 200 Line near Wright, New York. The Supply Path would include approximately 135 miles in Pennsylvania and New York, as well as 32 miles of

¹ “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.

² The appendices referenced in this notice will not appear in the Federal Register. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called “eLibrary” or from the Commission’s Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

pipeline loop along the 300 Line in Pennsylvania.

The Market Path would include approximately 188 miles of pipeline extending from Wright, New York, into Massachusetts and New Hampshire and then ending in Dracut, Massachusetts. The Market Path would generally be collocated with existing linear infrastructure.

In addition, the Project would include construction of nine pipeline laterals, loops³, or delivery lines in Massachusetts (38 miles), Connecticut (15 miles), and New Hampshire (7 miles) to provide natural gas to local markets.

The general location of the Project facilities is shown in appendix 2.

Land Requirements for Construction

Construction of the planned facilities would disturb about 6,761 acres of land for the pipeline and aboveground facilities, not including temporary access roads which are not yet determined. Following construction, Tennessee Gas would maintain about 2,602 acres for permanent operation of the Project's facilities, not including permanent access roads; the remaining acreage would be restored and revert to former uses. About 82 percent of the planned pipeline route parallels existing pipeline and utility rights-of-way.

The EIS Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EIS on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EIS. We will consider all filed comments during the preparation of the EIS.

In the EIS we will discuss impacts that could occur as a result of the construction and operation of the planned Project under these general headings:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- cultural resources;

³ A pipeline loop is a segment of pipe constructed parallel to an existing pipeline to increase capacity

- land use, recreation, and visual resources;
- socioeconomics;
- air quality and noise;
- cumulative impacts; and
- public safety.

As part of our analysis under NEPA, we will consider or recommend measures to avoid, minimize, or mitigate impacts on specific resources. We will also evaluate possible alternatives to the planned Project or portions of the Project. Tennessee Gas has proposed a number of alternatives, developed through the company's route selection process or identified by stakeholders, in draft Resource Report 10 filed with the FERC in Docket No. PF14-22-000 on March 13, 2015. During scoping, we are specifically soliciting comments on the range of alternatives for the Project.

Although no formal application has been filed, we have already initiated our environmental review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives a formal application from Tennessee Gas. During the pre-filing process, we have contacted federal and state agencies to discuss their involvement in scoping and the preparation of the EIS.

The EIS will present our independent analysis of the issues. We will publish and distribute the draft EIS for public comment. After the comment period, we will consider all timely comments and revise the document, as necessary, before issuing a final EIS. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues related to this Project to formally cooperate with us in the preparation of the EIS.⁴ Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for Section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Offices (SHPOs), and to solicit their views and those of other government agencies, interested

⁴ The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

Indian tribes, and the public on the project's potential effects on historic properties.⁵ We will define the Project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the Project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EIS for this Project will document our findings on the impacts on historic properties and summarize the status of consultations under Section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Indian tribes and Native American organizations; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes within certain distances of aboveground facilities, and anyone who provides a mailing address when they submit comments on the Project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned Project.

Copies of the draft EIS will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 3).**

Becoming an Intervenor

Once Tennessee Gas files its application with the Commission, you may want to become an "intervenor" which is an official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the "e-filing" link on the Commission's website. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the Project.

Additional Information

⁵ The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

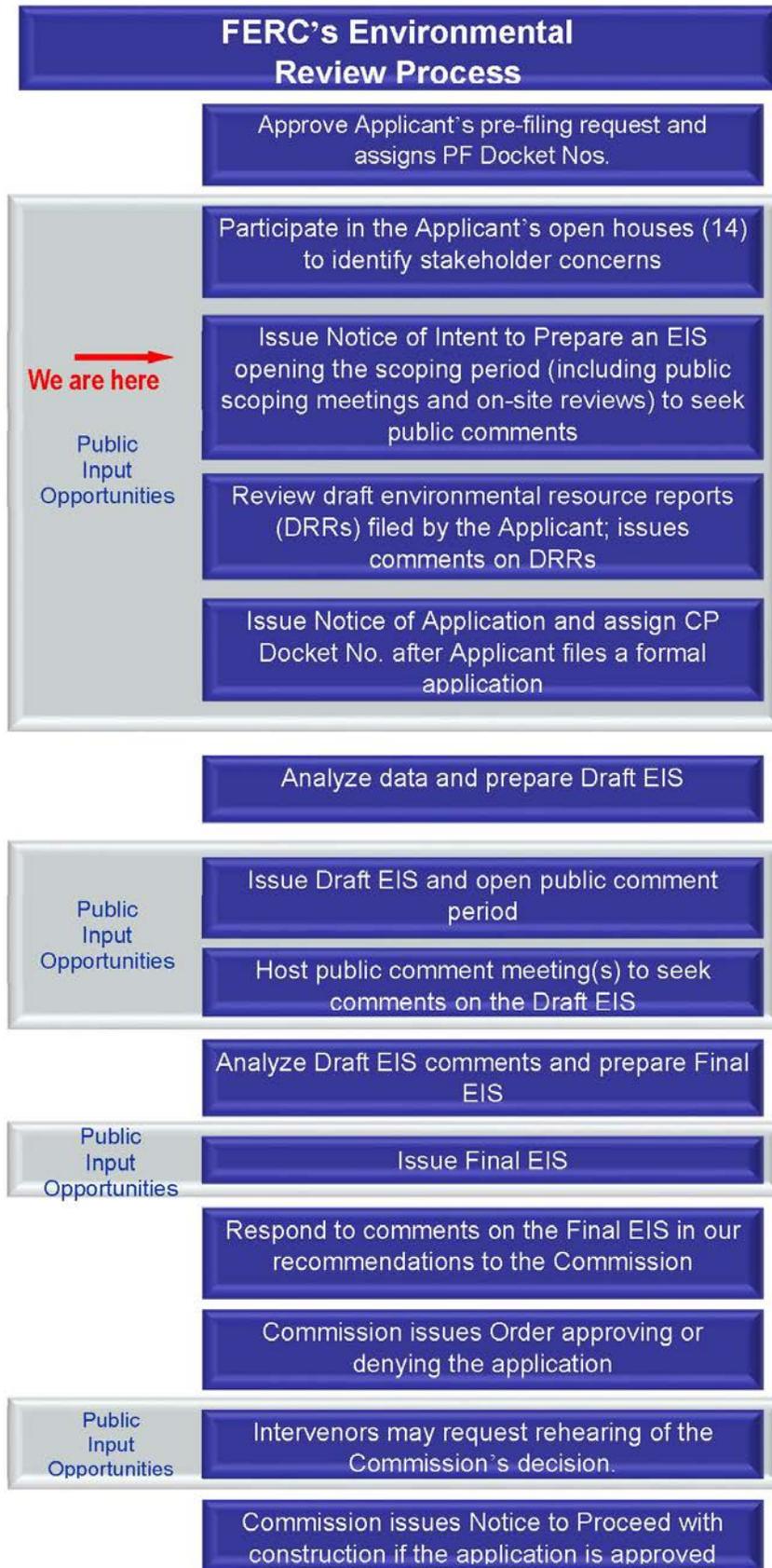
Additional information about the Project is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website (www.ferc.gov) using the [eLibrary](#) link. Click on the [eLibrary](#) link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (i.e., PF14-22-000). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called [eSubscription](#) which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to www.ferc.gov/docs-filing/esubscription.asp.

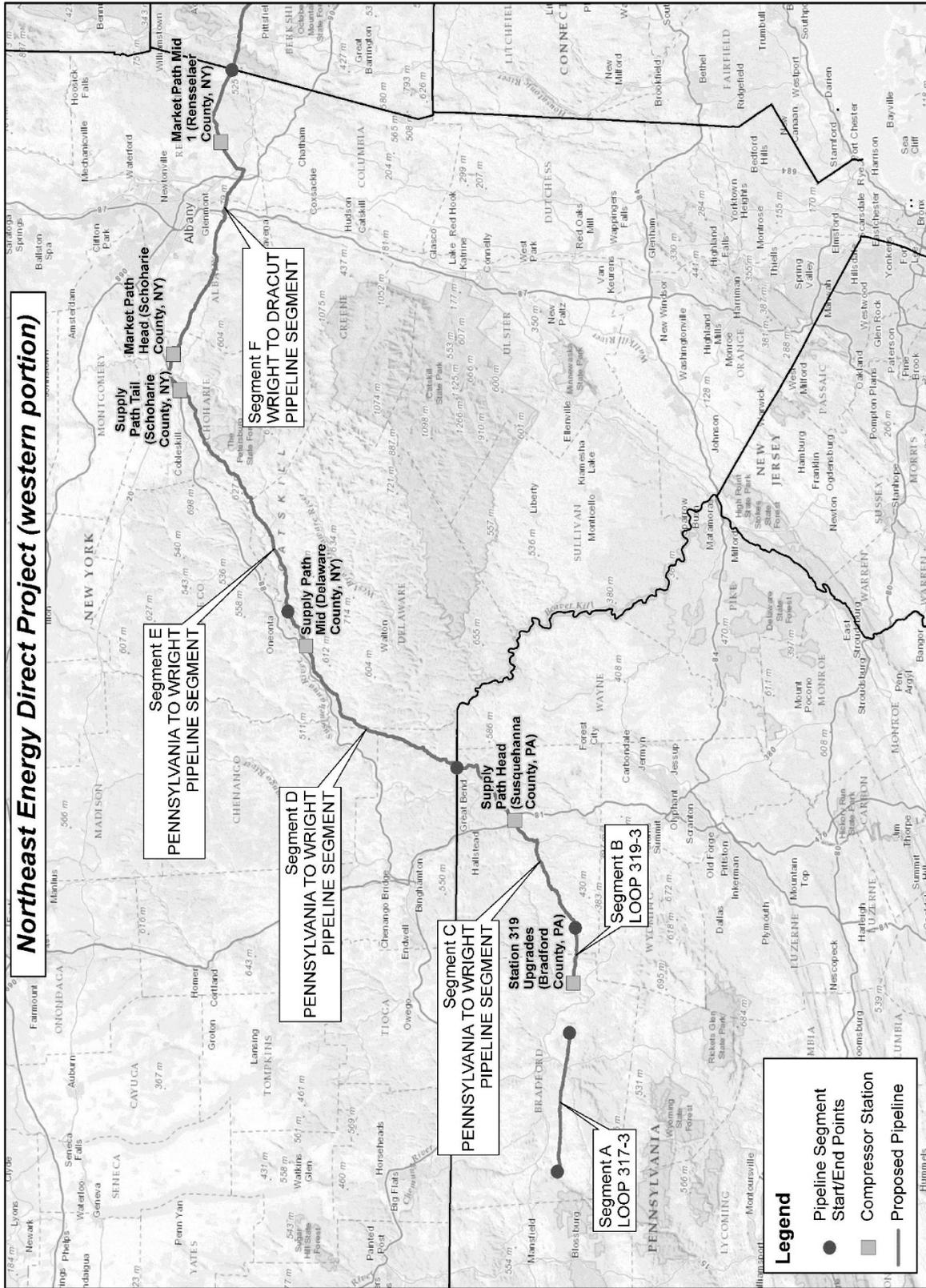
Finally, public meetings or site visits will be posted on the Commission's calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

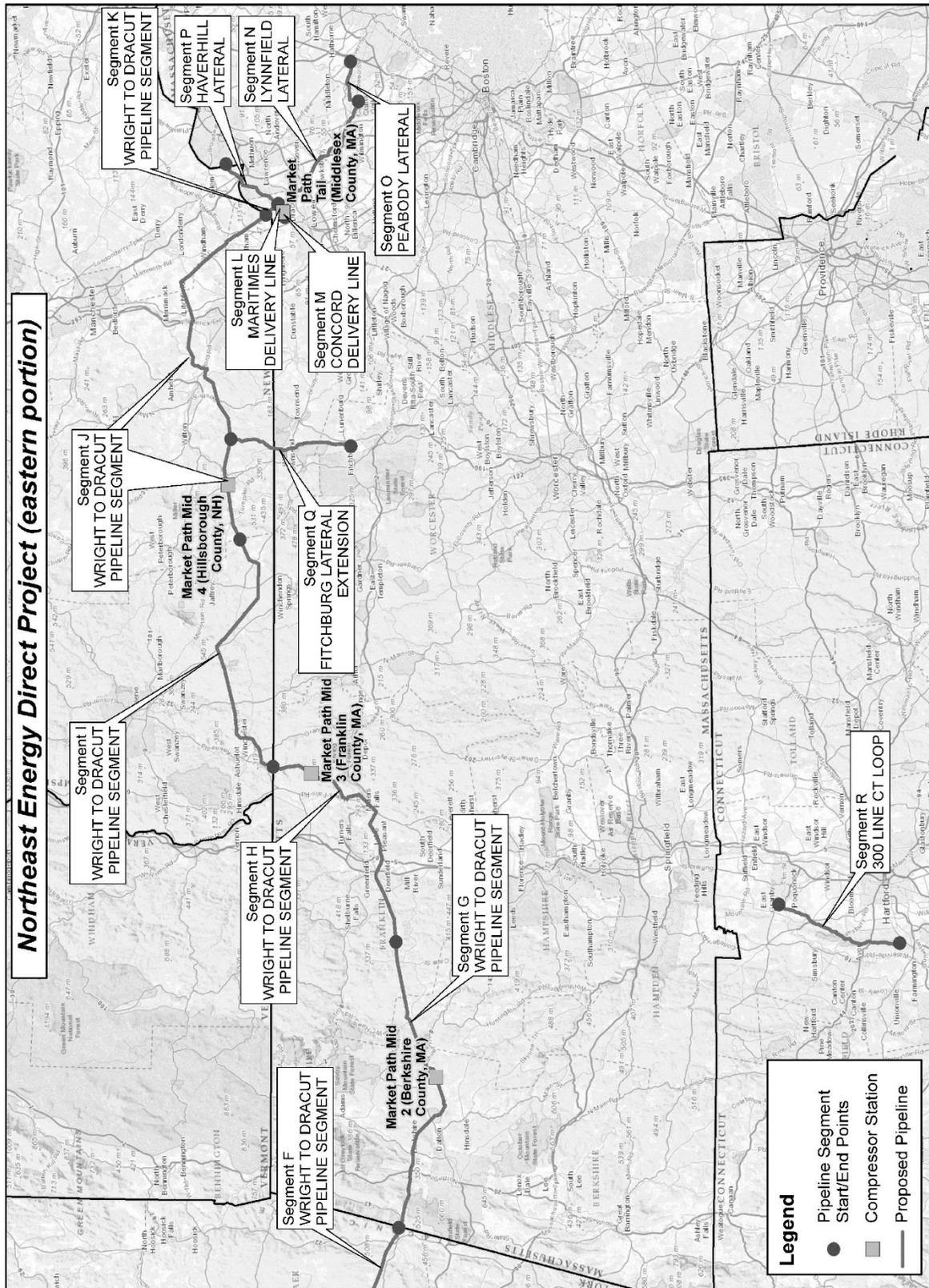
Kimberly D. Bose,
Secretary.

Appendix 1



Appendix 2 Project Maps





Appendix 3

INFORMATION REQUEST

NORTHEAST ENERGY DIRECT PROJECT

Name _____

Agency _____

Address _____

City _____ **State** _____ **Zip Code** _____

Please send me a paper copy of the draft EIS

Please remove my name from the mailing list

FROM _____

ATTN: OEP - DG2E - Gas 3, PJ-11.3
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Docket No. PF14-22-000 Northeast Energy Direct Pipeline Project

Staple or Tape Here

New Planning Board and Zoning Board of Appeals Member Training



July 30, 2015

6:00 –8:00 PM

Are you a recently elected planning board or zoning board of appeals member or an experienced member seeking to expand your knowledge about the intricacies of Massachusetts land use law?

If so, this is the training for you!

Experienced land use attorney Paul Bobrowski will review the duties of board members, the required procedures and the relevant laws (Zoning Act, Subdivision Control Law). Paul will also have the answers to all your burning land use questions.

A light dinner and refreshments will be provided.

This FREE Training to be held at :

Berkshire Regional Planning Commission

1 Fenn Street, Suite 201

Pittsfield, MA 01201

Please RSVP to Brian Domina by July 28, 2015:

413-442-1521 ext. 14

bdomina@berkshireplanning.org



From: RegReform (ANF) [<mailto:regreform@massmail.state.ma.us>]
Sent: Wednesday, July 08, 2015 12:41 PM
To: RegReform (ANF)
Subject: A&F Launches Regulatory Review Feedback Portal

Dear Interested Stakeholder,

As you are likely aware, on March 31st Governor Baker signed an Executive Order initiating a year-long review of Massachusetts regulations. Over the past two months, my office established clear lines of communication throughout the executive branch, developed an extensive internal database of existing regulations and is now putting the finishing touches on an elite team of subject matter experts from across state government.

When the Governor and I made this announcement, we said our goals were to make sure that state government speaks with one voice and that this review will help Massachusetts citizens and organizations of all kinds grow and succeed. An essential step towards achieving those goals is gathering feedback from you and your fellow stakeholders, the very people that are affected by state regulations on a daily basis.

To that end, we have established an online portal to solicit feedback. I hope you will consider sharing this link with any individuals or stakeholders you think are interested in participating in the process.

Link to Regulatory Review Portal: <http://www.mass.gov/anf/a-clearer-code-regulatory-reform.html>

Thank you in advance for your help. I look forward to both your feedback and a Massachusetts with a much clearer regulatory code.

Sincerely,

Kristen Lepore
Secretary
Executive Office for Administration and Finance