



## **MINUTES OF THE REGIONAL ISSUES COMMITTEE**

Wednesday, October 27, 2021

*Hybrid Zoom Virtual/In-Person Meeting*

### **I. Call to Order**

The meeting was called to order at 4:01 pm by CJ Hoss. The meeting was recorded.

#### Committee Members Present

Kyle Hanlon, North Adams (Present via Zoom)  
CJ Hoss, Chair, Pittsfield (Present via Zoom)  
Sheila Irvin, Pittsfield (Present via Zoom)  
Andrew Groff, Williamstown (Present via Zoom)  
Chris Rembold, Great Barrington (Present via Phone)  
Eleanor Tillinghast, Mount Washington (non-Commission member) (Present via Phone)

#### Committee Members Absent

John Duval, Chair of BRPC

#### BRPC Staff Present

Tom Matuszko, Executive Director  
Clete Kus, Transportation Program Manager  
Melissa Provencher, Environmental & Energy Program Manager  
Laura Brennan, Economic Development Program Manager  
Wylie Goodman, Senior Planner

#### Other Attendees

Dr. Ben Tafoya, Director of Division of Local Mandates, Office of the State Auditor (Present via Zoom)  
Deanna Ruffer, Pittsfield (Present via Zoom)  
Christine Rasmussen, Stockbridge (Present via Zoom)

### **II. Approval of September 22<sup>nd</sup>, 2021, Meeting Minutes**

The September Meeting Minutes were not approved, following requested edits from Eleanor T. The edits will be made, and revised minutes presented at the November 17<sup>th</sup> meeting.

### **III. Municipal Infrastructure Report Presentation – Dr. Ben Tafoya**

Dr. Tafoya summarized findings from the 10/5/21 report from Auditor Suzanne Bump's Office titled [Public Infrastructure in Western Massachusetts: A Critical Need](#)

[for Regional Investment and Revitalization](#). Tom M. reiterated the importance of the report confirming what Western Massachusetts' stakeholders have long known about shortages in funding to the region. He expressed appreciation to the Auditor's office for the report findings and subsequent advocacy on behalf of the region.

Dr. Tafoya began his summary by noting that Western Massachusetts faces multiple challenges in demographic and financial health categories (e.g., school-age children, workforce, broadband). The report is informed by the underlying belief that public infrastructure represents an important inroad through which the government can enhance civic and commercial life in the region.

The report is based in part on a survey sent to 101 Western Mass. communities with 45 responses received from representative stakeholders. The survey confirmed three critical infrastructure categories for the auditor's office to address: transportation (roadways, bridges, culverts), public buildings (other than schools), and broadband access.

Major findings from these three categories are noted below:

### **Transportation:**

- The FHWA rated 62% of bridges in the region as being in fair condition and 9% as poor, with roads highly impacted by climate change.
- Communities are highly dependent on Chapter 90 for roadway funding, with 60% of towns' spending on roadway maintenance coming from this source and 30% from local funding.
- Statewide, Chapter 90 provides approximately \$200M in roadway maintenance funding but the real need is \$588M, representing a \$388M gap.
- Other sources of funding (e.g., TIF, MassWorks, and STRAP) are either a) risky for towns to undertake in terms of initial outlay and expense, or b) hampered by the number of applications far exceeding money available for annual awards, and/or c) lack of expertise among local staff.

### **Municipal Buildings:**

- 37 of 45 responding communities identified substantial needs around repair or total replacement of municipal buildings.
- Annual replacement needs were estimated at \$100M.
- Communities across the Commonwealth face this same challenge; it is not unique to Western Massachusetts.
- In Western Mass. the only money received for such work, over a five-year period, was \$160K in federal funding from a USDA program.

### **Broadband Access:**

- Broadband was identified as a primary municipal challenge.
- The State has an aggressive program through MBI to help underserved communities.
- Several communities are still in process in terms of broadband build-out via one of three methods (i.e., as public utility; via partnership with private utility; via partnership with independent utility using wireless).

- Throughput in Western Mass. broadband speeds are just over 50% of the State average.
- Constant changes in technology remain an ongoing concern to ensure the region stays competitive.

#### **Recommendations of the Report:**

- Significantly increase annual funding for Chapter 90 from \$200M to \$300M.
- Change the funding formula, as per a recommendation from Rep. Pignatelli, to place more emphasis on roadway mileage, while reducing the formula's calculation that is dependent on population and employment figures.
- Enhance STRAP funding to be a larger percent of MassWorks' allocation and increase flexibility from the current \$1M cap.
- Provide more funding for small bridges and culverts.
- Start a public safety building authority similar to the Commonwealth's school building authority, focused on municipal buildings with regional equity a consideration. Allow funding for repairs as well as new construction with a dedicated funding/revenue stream rather than relying on annual appropriations.
- Continue broadband buildout via MBI and continue funding the required work to make internet access competitive in Western Mass.

#### **Post-Report Follow-Up and Next Steps:**

- There have been stakeholder meetings following the report in which Western Mass planning councils have been actively involved.
- As the State considers the historic opportunity of additional Federal funding, BRPC called a meeting of Selectboard members, planners, municipal managers and administrators to draft recommendations with the goal of coordinating with other regional planning agencies.
- In the interim, a comment letter, mirroring the report's recommendations, was sent by BRPC's Executive Director and FRCOG's Executive Director to the MA legislature and Legislative Rural Caucus.
- A more detailed and structured set of Commission-generated comments could be drafted and sent to the legislature to increase advocacy efficacy. Dr. Tafoya noted that time is of the essence for this action.
- The House is still considering recommendations from the Ways and Means Committee for spending ARPA money and State Surplus from the last FY allocated to supplementing ARPA expenditures. There is an amendment from Rep. Mark to add \$50M to Chapter 90 as a one-time supplement. After the House reviews over 1000 submitted amendments, the bill will go to the MA Senate for consideration.

Eleanor T. reviewed the comment letter submitted by BRPC's Executive Director and suggested additional monies be sought for culverts (currently \$200M) and the Clean Water Trust (\$100M). She also suggested additional funding for towns that have a high percentage of State-Owned Land (i.e., PILOT) program that receive extensive public use.

#### **IV. Further discussion of State-Owned Land Payments in Lieu of Taxes (PILOT) Report**

Tom M. has not yet drafted a comment letter to the legislature addressing bills related to PILOT, which he noted constrains rural towns' ability to raise funds for local schools, as well.

Tom will follow up with the Chair of the Rural Policy Advisory Commission about comments on proposed PILOT and infrastructure legislation changes informed by both Auditor reports.

Tom M. recommended, supported by Dr. Tafoya, that Selectboards send in comments soon, particularly to recommend more funding for Chapter 90 and structural changes to the formula. A dedicated funding/revenue source for municipal building repairs is also critical.

## **V. Topics for Future Consideration**

CJ H. recommended that PILOT be the focus of the November meeting. If another meeting is needed prior to November 17<sup>th</sup> to address urgent legislative action, this remains an option for the Committee.

## **VI. Next Committee Meeting Date – November 17th, 2021**

Laura will poll Committee members to ensure the meeting can be moved from November 24<sup>th</sup> to November 17<sup>th</sup>, given the normally scheduled date's proximity to the Thanksgiving holiday.

## **VII. Adjournment**

CJ H. made a motion to adjourn the meeting at 4:59 p.m. Eleanor T. seconded the motion. The meeting was adjourned at 4:59 p.m.



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## **REGIONAL ISSUES COMMITTEE – Meeting Notes**

Wednesday, February 23, 2022

*via Zoom*

### **I. Call to Order**

The meeting was called to order at 4:03 pm by CJ Hoss. The meeting was recorded.

#### Committee Members Present

Andrew Groff, Williamstown

CJ Hoss, Chair, Pittsfield

Sheila Irvin, Pittsfield

Christine Rasmussen, Stockbridge

Eleanor Tillinghast, Mount Washington (non-Commission member)

#### Committee Members Absent

John Duval, Chair of BRPC

Kyle Hanlon, North Adams

Chris Rembold, Great Barrington

#### BRPC Staff Present

Tom Matuszko, Executive Director

Laura Brennan, Economic Development Program Manager

Emily Lange, Environmental and Energy Program Planner

### **II. Approval of October 2021 Meeting Minutes**

Minutes from October will be approved at a future meeting.

### **III. Draft Net-Zero Stretch Energy Code**

Committee discussed the draft letter prepared by Emily Lange of BRPC, in anticipation of passing along to BRPC Commission – Executive Committee for consideration at their meeting on March 3<sup>rd</sup>.

Emily L. provided an overview of the presentation from DOER using some of the slides from their presentation. The straw proposal contains two updates, one being the updated Stretch Energy Code which will align with the base energy code that is happening in January of 2023. DOER is also issuing a new specialized opt-in code which is required by the 2021 climate roadmap legislation, and which will be available for adoption as of December 2022.

DOER's analysis included looking at 12 building use types and analyzing upfront costs, operational costs, and total costs of ownership. It was found that electric heating created 64% less emissions than gas as of 2019 and is anticipated to result in 98% less emissions by 2050. Delivered fuels were eliminated from consideration because they were not found to be cost competitive.

There are three proposed options for updated Stretch Code compliance for low rise

residential buildings. Pathways will require a HERS rating of 42 for fossil fuel heated buildings, HERS 45 for electric heating, or implementation of Passive house standard (whole building). These would go into effect in 2023. DOER anticipates that electric heating because of lower construction and ownership costs. Incremental costs savings for electric heated homes are expected to be in the range of \$11,938 to \$28,597, after incentives, while incremental cost savings for gas heated homes are anticipated to range from \$570 to \$7,900, after incentives.

Mass Save incentives for 2022-2024 include \$15,000 for all-electric homes below HERS 45, and \$25,000 for homes rated below HERS 35 or Passivehouse. Emily confirmed for the group that the higher a HERS number, the lower the efficiency of the building.

Specialized Code for residential low-rise definition of net-zero would not require either on-site or off-site renewables, nor does it require that the building itself is net-zero. The buildings are assumed to become net-zero when the Massachusetts grid becomes net-zero. Again, there are three options for Net Zero Code Compliance. These reflect the pathways described above, with the addition of rooftop solar where feasible, as well as homes being pre-wired for electrification under the gas/propane heating pathway; homes being wired for electrification under the Passivehouse pathway; and in all cases, EV-ready wiring to parking spaces. (20% of spaces in the case of multi-family).

The proposed Commercial Code will lower life cycle costs for all building types. It will make primary and secondary schools as well as small offices slightly more expensive to build, and would make large office, lab/office, and multi-family facilities less expensive to build. All buildings will achieve substantial greenhouse gas emission reductions. The proposed Commercial Code encourages but does not require electrification. In this case, there are five pathways for compliance depending on building type. For Net Zero Commercial compliance, only one pathway is available to large multi-family, which is Passivehouse and requires electric heat or electrification readiness. All other commercial building types have three pathways available. EV-ready wiring is required in all Commercial Net Zero pathways.

Eleanor T. asked about the substantial savings for electric heated homes, and what those savings were comprised of. Mass Save incentives appear to contribute the majority of these savings, although the estimates also likely include savings during the building's life cycle. Eleanor also asked if information was available regarding incremental costs if incentives are not included. It is unclear whether the anticipated increase in construction costs are pre- or post-incentives. Emily L. indicated that there will be multiple public meetings and also opportunities to email questions to DOER. In response to a question from Tom M., Emily confirmed that the straw proposal lacks much detail, and there are not yet proposed regulations to review. Tom suggested incorporating requests for clarity and detail in our comment letter.

Andrew G. raised the question of whether these proposed changes will have any implications for upgrades and renovations to existing housing stock. Emily shared that the current proposal does not include existing buildings or major renovations. Tom M. pointed out a need for caution, in that when communities adopted the stretch code, it was with the understanding that it would only apply to new constructions. Emily suggested that it could be incorporated into the municipal opt-in for net-zero only.

Emily L. shared her draft letter, which had been distributed to committee members prior to the meeting. Tom M. confirmed that there will be an Executive Committee meeting on March 3<sup>rd</sup>, during which comments could be officially approved. Absent that opportunity, the comments could come from BRPC staff. The group discussed whether the exclusion of fossil fuels as an option for new construction should be included in BRPC comments. Primary concerns centered around the frequency of power outages in some remote areas, and the lack of reliability of the local portions of the grid. In some cases, generators are used as

back-up systems. Concerns were also raised about the ability of older residents to maintain battery storage systems as an alternative to fuel-powered generators. CJ pointed out that these concerns indicate the straw proposal is potentially even more expensive than originally estimated. Implementation of these proposals also require extensive workforce training. Tom M. suggested that our strategy may include a more aggressive stance for standards within the opt-in code, and a more measured approach pertaining to the expanded Stretch Code.

CJ summarized that although members of the committee disagreed about specifics, the removal of fossil fuels from new home construction is optimal, the technology does not yet exist to do it in a cost effective or reliable manner, particularly in rural areas. Andrew G. stated that he supports an aspirational inclusion of elimination of fossil fuels for new construction within the local opt-in option as something that can vary by community. CJ suggested that it is unlikely many communities would be in the position to opt in to such an exclusion, given the issues of affordability and reliability, and that likelihood should be memorialized in the comment letter. The letter will be revised and shared with the committee prior to submission to the Executive Committee on March 3<sup>rd</sup>.

It was agreed that edits as described above should be made by staff before a second review by RIC members and submission to the BRPC Executive Committee.

#### **IV. Topics for Future Consideration**

We have not received any suggestions regarding topics to consider. CJ asked that the group explore short term rentals based on recent discussion in multiple communities. Andrew was in favor of this as a future topic. Tom shared that BRPC has been looking closely at housing, and short-term rentals is part of this assessment. A staff member may be able to present some findings at the next meeting. Another possible topic is the status of the electrical grid within Berkshire County, and whether it is equipped to handle increased demand, particularly due to increased use of EVs. Andrew stated that someone from Williams College may be able to speak to the group about electrification on a smaller scale. Eleanor suggested ISO New England as a guest speaker source. Tom also suggested the issue of open meeting law and virtual public meetings as a future topic. Staff will discuss which of the three topics will be ready for the March meeting and confer with CJ as Chair.

#### **V. Next Committee Meeting Date – March 23, 2022**

#### **VII. Adjournment**

The meeting was adjourned at 5:04 p.m.