



BRPC

Berkshire Regional Planning Commission

JOHN DUVAL, Chair
MALCOLM FICK, Vice-Chair
SHEILA IRVIN, Clerk
BUCK DONOVAN, Treasurer
THOMAS MATUSZKO, A.I.C.P.
Executive Director

COMMISSION MEETING MINUTES APPROVED March 17, 2022

This was a virtual meeting as allowed by Ch. 22 of the Acts of 2022 suspending certain provisions of the Open Meeting Law, G.L. c.30 sec.20.

I. Opening

A. The meeting was called to order at 7:01 pm.

Chair John Duval stated that per the open meeting law, BRPC records all meetings. Others may record the meeting after informing the chair. Any documents presented must be provided to the chair at the meeting. Pittsfield TV was recording.

B. Roll Call

The following Commission members were present:

John Duval – Adams Alternate
Ann Krawet – Becket Alternate
Peter Traub – Cheshire Delegate
Mary McGurn – Egremont Alternate
Barbara Davis-Hassan – Lanesborough Delegate
Buck Donovan – Lee Delegate
Mark Smith – Lenox Alternate
Jim Lovejoy – Mt. Washington
Kyle Hanlon – North Adams Delegate
Sheila Irvin – Pittsfield Delegate
Sari Hoy – Sheffield Delegate
René Wood – Sheffield Alternate
Christine Rasmussen – Stockbridge Alternate
Sarah Hudson – Tyringham Alternate
Don Gagnon – Washington Delegate
Roger Lawrence – Williamstown Delegate
Roger Bolton – Williamstown Alternate
Doug McNally – Windsor Delegate

Staff Present:

Thomas Matuszko – Executive Director
Kate Hill Tapia – Office Administrator
Alecia Herrick – Finance Assistant
Justin Gilmore – Transportation Planner
Clete Kus – Transportation Program Manager
Patricia Mullins – Community Development & Housing Program
Manager
Chris Skelly – Project Specialist

Others Present:

Brittany Polito, iBerkshire; Pittsfield Community Television; Robin Keeney, Hancock

C. Approval of Minutes of January 20, 2022, Meeting

René Wood moved to approve the draft minutes of the January 20, 2022 meeting. Kyle Hanlon seconded the motion. There were no comments or discussion. The minutes were approved with a roll call vote and four abstentions.

Yes:

John Duval – Adams Alternate
Peter Traub – Cheshire Delegate
Mary McGurn – Egremont Alternate
Barbara Davis-Hassan – Lanesborough Delegate
Kyle Hanlon – North Adams Delegate
Sheila Irvin – Pittsfield Delegate
Sari Hoy – Sheffield Delegate
Christine Rasmussen – Stockbridge Alternate
Don Gagnon – Washington Delegate
Roger Lawrence – Williamstown Delegate
Doug McNally – Windsor Delegate

Abstained:

Mark Smith – Lenox Alternate
Jim Lovejoy – Mt. Washington
Sarah Hudson – Tyringham Alternate

II. Comments from the Public

There were no comments from the public.

III. Delegate & Alternate Issues

There were no Delegate or Alternate issues.

IV. Executive Committee Actions

There were no questions or comments on Executive Committee actions at the February 3 and March 3, 2022 meetings.

V. Ratification of Committee Members

The BRPC bylaws require the Commission to ratify committee members. The Comprehensive Economic Development Strategy (CEDS) Committee has some changes. Rebecca Lilley replaces Shannon Zayac as the MassHire Berkshire Workforce Board Alternate. Shannon Smith replaces Cynthia Pansing as the representative for Berkshire Agricultural Ventures, and Glenn Bergman is their Alternate. AJ Enchill of the Berkshire Black Economic Council is a new member.

Doug McNally motioned to approve the changes to the CEDS committee membership. Jim Lovejoy seconded. The motion passed with a roll call vote.

Yes:

John Duval – Adams Alternate
Peter Traub – Cheshire Delegate
Mary McGurn – Egremont Alternate
Barbara Davis-Hassan – Lanesborough Delegate
Buck Donovan – Lee Delegate
Mark Smith – Lenox Alternate
Jim Lovejoy – Mt. Washington
Kyle Hanlon – North Adams Delegate
Sheila Irvin – Pittsfield Delegate
Sari Hoy – Sheffield Delegate
Christine Rasmussen – Stockbridge Alternate
Sarah Hudson – Tyringham Delegate
Don Gagnon – Washington Delegate
Roger Lawrence – Williamstown Delegate
Doug McNally – Windsor Delegate

VI. Rural Policy Advisory Commission

Linda Dunlavy, Chair of the Commonwealth's Rural Policy Advisory Commission and Executive Director of the Franklin Regional Council of Governments, presented how rural communities have been significantly impacted by COVID and reviewed rural legislative priorities. Refer to [Rural Policy Plan](#).

Linda stated that this is a key moment to get more resources for rural municipalities due to American Rescue Plan Act (ARPA) funds, healthy state reserves, and resilience and recovery from COVID as a state and federal priority. In addition, Auditor Bump's report documents the inequity of state funding formulas and programs and the impact on rural municipalities. Below are the priorities the RPAC is working with the legislature's Rural Caucus to advance.

The Rural Policy Advisory Commission (RPAC) used several reports to confirm what rural and small town communities already know. The Commonwealth has not fairly distributed resources to these municipalities, and the impact of COVID is less obvious in the data because resources were already very limited. The RPAC hypothesizes that rural communities started the pandemic with a deficit from not recovering from the Great Recession (December 2007 to June 2009).

The reports included:

[Public Infrastructure in Western Massachusetts: A Critical Need for Regional Investment and Revitalization](#) and [Preparing for the Future of Work](#).

This report falsely showed rural areas experienced less economic impact by COVID. This is a false assessment because this report fails to acknowledge

that rural areas lacked sufficient childcare, adequate office space, transit, housing, and diversity **before** the pandemic.

Linda's presentation with data details is on BRPC's website under About/Agendas & Minutes/March 17 Meeting Materials: [Rural Massachusetts: Ensuring equitable distribution of ARPA, FY23 Priorities, Preparing for our Future](#)

Tom invited discussion and noted that the Chapter 90 winter repair funding program used a different formula of road miles only. Representative Pignatelli has been advocating for that type of change in the formula. Jim Lovejoy of Mt. Washington shared that he has been trying to change the level of Chapter 90 funding for ten years and that Representative Strauss believes there may be an opportunity to change the formula. One problem for towns is the lack of human resources to write and manage grants. MMA is reviewing how many communities benefit from funding programs and if resources are evenly distributed.

Doug McNally reiterated the lack of staff for Windsor to manage grants and the issue of substantial broadband debt. Many towns have the same point about fairness as funding comes available for other communities to get broadband with large loans.

René Wood thanked Linda for her presentation, urged a focus on the goal of getting the Rural Office at the state level approved, and asked for the bill numbers. Tom said we must reach out to eastern legislators since our legislators are outnumbered. René said Sheffield copies committee chairs and all Senators or Representatives when they send letters.

Robert Bolton stated that the Rural Caucus needs to make the case of resources for rural communities based not just on fairness and equity but also on contributions made to outdoor recreation, new housing, affordable workforce, innovation capacity, etc.

RPAC is preparing a Gubernatorial Brief for the candidates about how supporting rural Massachusetts is good for all of Massachusetts.

Mark Smith asked what "instruct DOT" means under the small bridge priority. Tom responded that it is inefficient to require each community to design a project from beginning to end when "a bridge is a bridge." Results of a bridge and culvert program report have not been issued yet.

There was discussion about the lack of a state engineer for approving bridge and culvert plans in District 1, the time, and frustrations of working with the Boston office that doesn't understand rural needs, the cost of duplicating engineering services, and the need for the proposed Rural Policy Office to have some "muscle." Doug McNally's example from Windsor is three identical

culverts that had to go through separate (and costly) engineering designs. It took one and half years to get one approved.

Christine Rasmussen suggested education to get the eastern part of the state engaged in accomplishing these things. Farmers offer "visit a farm" field trips for legislators and get funding. Rep Pignatelli does a Berkshire visit, including Tanglewood, etc. Could BRPC piggyback on that and show issues like culverts? Seeing is believing. Would the Berkshire delegation be willing to help us with an education program?

Tom will report back on the status of the legislation to create the Rural Policy Office. There have been advocacy efforts to be able to use Chapter 90 funds for engineering and design services. He clarified that the approval (not the engineering design services) of bridge and culvert designs must go to the Boston office. That is not the case for streets and roads.

Clete, BRPC Transportation Program Manager, confirmed that towns could use Chapter 90 funds for engineering and design services. There is an effort to get funding for the design process (including roads), so towns don't have to use Chapter 90 funding for projects that may not get approved.

VII. The Berkshire County Electric Vehicle Charging Plan

BRPC Transportation Planner Justin Gilmore presented the recently developed Berkshire County Electric Vehicle Charging Plan. A link to the presentation is on BRPC's website under this meeting's [Materials](#). The plan aims to educate and inform municipal officials to plan for and implement EV charging stations. Transportation is the largest source of greenhouse gas (GHG) emissions.

There are initiatives to reduce emissions, and the Berkshires should be prepared for a major shift toward electrification. It is unclear what EV ownership is in Berkshire County, but the information should be available soon. The estimate in May of 2020 was 2380 vehicles. There are 53 charging stations in the county. Most are in the central part of the county.

Justin reviewed the three types of electric vehicles and showed how pricing ranges from \$30,750 to \$42,895. Pick-up trucks are coming in 2022. The amount of voltage, length of time to charge, and resulting miles per hour or minutes determine if a charging station is level 1, 2, or 3. Charging speeds are determined by the vehicle's capability and the charge, the current SoC (state of charge) of the car, and the battery's temperature.

He reviewed the cost of equipment and installation. For instance, a DC Fast Charge costs approximately \$30,000, and installation can be \$4000-\$20,000 (based on national data). There are different ownership and payment options such as site-host or third-party owned, free to use, or subscription-free pay-as-you-use. A station's location determines what level is suitable. L3 Direct Current (DC) stations suit travel corridors and quick-stop areas. Long-term parking, including homes, is suited for L1.

The plan outlines zoning, codes, and parking ordinance considerations to specify permissible use of EV equipment in single and multi-family dwellings and commercial and industrial zones.

Assistance programs exist for municipalities to acquire and install charging stations: the MA EV Incentive Program, Eversource and National Grid, MA Green Communities. The report outlines planning tools to help understand what to prepare for based on the number of vehicles and where charges should be placed.

Recommendations include the formation of an EV Charging Station Work Group to exchange information, identifying a responsible person in each community, capitalize on assistance programs, engage employment centers and tourist destinations, and incorporate EV readiness into new development. 80% of charging happens at home, so people without a garage or driveway will need access via parking lots, etc.

Since the EV Charging Plan was developed, the Bipartisan Infrastructure Law (BIL) was passed with billions of dollars for a National Electric Vehicle Program with the goal of a nationwide network of EV chargers by 2030. Implications for Massachusetts are \$63 million over the next five years for EV charging station expansion and the opportunity to apply for \$2.5 billion in competitive grants.

The BIL also authorized the formation of a Joint Office of Energy and Transportation for an interagency approach to accelerating zero-emissions transportation infrastructure.

Justin recommends the [Charging Forward: A Toolkit for Planning and Funding Rural Electric Mobility Infrastructure](#) released in February 2022. BRPC will soon publish an EV Charging Station Resource Guide condensing information from the EV Charging Plan Report with web-based resources.

René Wood asked if Chapter 90 or Complete Streets funding would allow EV charging stations. Not in Complete Streets; there isn't anything specifically in Chapter 90. Justin will have to confirm Chapter 90.

The Windsor Green Community is putting a station at the town hall since it is on a tourist route. Doug McNally recommends that other green communities investigate funding. Tom pointed out that access to charging stations may help recruit young people to the Berkshires. Justin said that Beverly, MA converted to electric school buses reducing emissions around young people and that it makes sense to decarbonize wherever we can.

Roger Bolton asked how many ports a charging station has and pointed out that vehicles must be connected for a long time, much longer than filling up at a gas station. Is there potential for congestion, such as at Tanglewood? Stations typically have two ports. There is an educational component to understanding kilowatts and kilowatt-hours. Most charging is "topping off," not starting from zero. Range anxiety is a barrier to the adoption of EVs.

John Duval and Doug McNally want to be part of the EV Charging Station Working Group. Anyone else interested should contact Justin Gilmore at jgilmore@berkshireplanning.org or 413-442-1521 ext. 28.

VIII. Housing Presentation and Short-Term Rental Discussion

In keeping with the BRPC designated topic of housing over the coming year, Project Specialist Chris Skelly shared new housing development "success

stories" from across Berkshire County. A mix of public and private and market-rate and affordable projects

Williamstown has had several, including Cable Mills with 13 affordable and 48 market-rate units. Affordable units were built with Community Preservation Act Funds. There is also a new building. Additional financing came from the Historic Preservation Fund and bond subsidies. A special overlay zoning change was passed at a town meeting.

Highland Woods in Williamstown has 40 units for low-income senior citizens built with an Affordable Housing Trust, Berkshire Housing, Mass Affordable Housing Trust Fund, and Low Income Housing Tax Credits. Williams College was involved with the site acquisition.

Only Lenox, Great Barrington, and Williamstown have Affordable Housing Trusts. It is a great way to provide affordable housing opportunities. They are created through municipal bylaws. Funding can come from sources mentioned above, inclusionary zoning bylaws, and developer fees. Williamstown used general funds approved at a town meeting. A benefit of the trust is the ability to make decisions quickly for the benefit of the community.

330 Cole Avenue in Williamstown was also done with Berkshire Housing and included a derelict mill building. The site needed clean up, so EPA soil remediation funding was used. There are 42 affordable units.

Rice Silk Mill in Pittsfield has 45 affordable units in a Chapter 40R zoning district. The mortgage came from Mass Housing Partnership. Also in Pittsfield, built about ten years ago, are the New Amsterdam Apartments with 67 affordable units. They recently refinanced to ensure future affordability using Low Income Housing Tax Credits and a Mass Housing Partnership mortgage. Powerhouse Lofts is an adaptive reuse of a building built for Pittsfield's trolleys. It was a church from the 1920s until it was recently converted to ten market-rate apartments.

There is a need for housing that meets the needs of various demographics: single people, senior citizens, or small families.

Morning Star in Pittsfield is market-rate housing for individuals (not families) completed last year. The Eclipse Mill in North Adams needed zoning that allowed for studio and residential space in the same building. There are 40 condominium units requiring proof of creative work for eligibility.

The Clark Biscuit Company in North Adams, with 40 affordable housing units, was purchased with Historic Rehabilitation Tax Credits and used funding sources already mentioned.

The 45 affordable Bentley Apartments in Great Barrington were built on a Brownsfields site by the Community Development Corporation of South Berkshire. Downtown Pittsfield's Howard and Onota buildings are market-rate private developments that got state and federal historic preservation tax credits for 39 units. Forest Springs in Great Barrington has 11 affordable rental units opened in 2018. The Community Development Corporation of South Berkshire and Construct developed this site that was a parking lot.

The Affordable Housing Trust in Williamstown provided land, and Habitat for Humanity built one house, and another is in the works. The Lenox Affordable Housing Trust purchased existing homes and is using buydowns and a lottery with a low mortgage rate for first-time homebuyers.

There are not many accessory dwelling units (ADU) due to the cost of construction. The owner must occupy the principal unit. These work well for large one-family properties that can be divided into a multi-family structure if the community has an ADU bylaw.

Chris invited Commission members to let him know of projects or challenges they would like more information about.

Don Gagnon said Washington is working on an ADU bylaw. Since they have a lot of second homeowners who may want to add an ADU, how would that work with the owner-occupied requirement? It is up to the community to decide. Tom said the key is that the property has one owner. Only one ADU is the norm.

Jim Lovejoy said the issue in Mt. Washington is properties purchased for short-term rental with ADUs that do not increase housing for residents. This can also create absentee landlords. Tom said short-term rental regulation can be paired with ADU bylaws. Owner-occupied principal structures are an attempt to restrict investor ownership.

Williamstown does not have an owner-occupancy regulation for its ADUs. An issue is how tourist-based rentals may increase property values and make it harder for people to afford their homes.

Tom commented that there are no easy answers to housing issues. Regulations can minimize some impacts. Doug McNally noted that towns without infrastructure cannot create multi-family units. Windsor is spending a lot of money on taking down abandoned homes. Rather than put funding in town centers, rehabilitation of existing structures in more rural settings would work.

Chris said Becket and some other towns have used the Abandoned Housing Initiative from the Attorney General's office to get properties into receivership. Doug McNally said the problem is huge legal expenses. Barb Barbara Davis-Hassan observed that Lanesborough did an ADU bylaw arguing

that homeowners wanted to bring family members to live on the property, but the ADUs are now "caught up" in the Airbnb issue. North Adams is trying to tackle that issue. Lanesborough is not regulating short-term rentals. Lenox and Great Barrington have some provisions.

Tom asked if this housing session was useful and if more housing-themed discussions, such as short-term rentals, are wanted. There is interest in the "Airbnb" problem, including its impact on affordability. Constitutionality has also been raised. René Wood suggested that BRPC wait until short-term rental bylaws go to town meetings and then the Attorney General's review. The Commission Development Committee will consider future meeting topics.

North Adams' short-term rental provision requires professional management only if there is a non-resident owner. Doug McNally asked that affordable housing development in small towns without infrastructure be a topic. Jim Lovejoy said we need more discussion on housing in Berkshire County and the impact of investment properties.

IX. Executive Director's Report

There were no questions or comments on the report.

A. Office Update

The final walk-through was supposed to be Tuesday, March 15, but the contractors needed another week. The move will take several weeks as offices will be cleaned and painted before new staff move in. The Fenn St. entrance will remain locked to the public. Visitors will be able to enter a BRPC code into the left panel to call the office, and the Office Administrator will be able to unlock the door remotely.

The door to the second floor at the stairs will only open with a fob. Access for the public will be via the elevator. The Office Administrator will provide visitors with a code for the elevator to stop on the second floor.

B. Community One Stop for Growth

Communities interested in applying to any of the grant programs offered through the Community One Stop for Growth are strongly advised to submit an Expression of Interest. These are simple (one-page) submissions with broad concepts. Last year, nearly 90% of the applications that received funding submitted Expressions of Interest. The Expressions of Interest are due March 18, 2022.

C. District Local Technical Assistance (DLTA)

BRPC finally received the DLTA contract. No notice to proceed yet.

D. Western Massachusetts Municipal Conference

The Massachusetts Select Board Association will host its second Western Massachusetts Municipal Conference on Saturday, April 9, at Easthampton High School in Easthampton from 8:30 am to 12:00 pm. The event will bring together regional stakeholders, including municipal officials, planning

agencies, and legislators from Berkshire, Franklin, Hampden, and Hampshire counties, to address the region's challenges. Conference goals are to promote sustainable cross-governmental partnerships across western Massachusetts, share best practices for adaptation to and mitigation of challenges facing the four counties, and advocate more effectively for the region. The conference is co-sponsored by the Berkshire Regional Planning Commission, the Franklin Regional Council of Governments, the Pioneer Valley Planning Commission, and the Rural Policy Advisory Commission.

E. Berkshire Flyer

BRPC is very optimistic that there will be a limited number of trial runs of the Berkshire Flyer this summer.

F. Other - none

X. Adjournment

Kyle Hanlon made a motion to adjourn, seconded by Barb Davis-Hassan and unanimously approved. The meeting adjourned at 9:10 pm.