



BRPC

Berkshire Regional Planning Commission

MALCOLM FICK, Chair
JOHN DUVAL, Vice-Chair
SHEILA IRVIN, Clerk
BUCK DONOVAN, Treasurer
THOMAS MATUSZKO,
Executive Director

MEETING NOTICE Revised

There will be a meeting of the
BERKSHIRE REGIONAL PLANNING COMMISSION
on **Wednesday**, September 25, 2024 at **4:00**
p.m.

This will be an in person meeting only.

The Meeting will be held at Balderdash Cellars, 81 State Road, Richmond, MA
01254

Meeting Materials are posted at www.berkshireplanning.org. Click on the
meeting in the Events Calendar to open them.

Agenda

(All times approximate)

- I. Opening (4:00-4:05)**
 - a) *Call to Order and Open Meeting Law Statement*
 - b) *Roll Call of Commission Members Attending the Meeting*
 - c) *Vote to Approve Minutes of the August 1, 2024 Full Commission Meeting*
- II. Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates (4:05-4:10)**

BRPC Delegates and Alternates may offer comments on any item not on the agenda. Any discussion or action will be referred to a future meeting and not discussed at this meeting.
- III. Comments from the Public (4:10-4:15)**

Members of the public may offer comments regarding topics on the agenda or other matters they wish to bring to the Commission's attention. Comments are to be directed to the Commission. Commenters must state their names and the city or town they are from. Any discussion or action will be referred to a future meeting and not discussed at this meeting.
- IV. Presentation of Executive Committee Actions (4:15-4:20)**

Executive Committee actions taken on the Commission's behalf at its August 1, 2024 and September 12, 2024 meetings are presented for discussion.
- V. Presentation of the Home Modification Loan Program (4:20-4:40)**

The Home Modification Loan Program (HMLP) provides no-interest loans to modify or adapt the homes of older adults and individuals with disabilities, residing in the Commonwealth of Massachusetts. BRPC administers that program in Berkshire County for the Community Economic Development Assistance Corporation (CEDAC). Senior Planner Brett Roberts will describe the program.
- VI. Discussion and identification of BRPC Legislative Priorities (4:40 – 4:50)**

BRPC is determining how best to identify and advance legislative priorities important to Berkshire County communities. The Rural Policy Advisory Committee (RPAC) has advanced important legislative priorities for rural communities in Massachusetts. We will review the RPAC's priorities from the most recent legislative session to determine applicability for the upcoming session as a component for setting BRPC's priorities.

VII. Discussion of Important Items Facing your Municipality (4:50 – 5:00)

As time allows, we would like to have an open discussion about the important items facing your community.

VIII. Adjournment (5:00)

Other interested citizens and officials are invited to attend.

All times listed are estimates of when specific agenda items may be discussed.

City and Town Clerks: Please post this notice

BRPC has adopted the BRPC website www.berkshireplanning.org as its official posting method as allowed by 940 CMR29.00 section 29.03 (3) (b) since November 2010.

The Meeting Notice, Agenda and meeting materials are on BRPC's website: www.berkshireplanning.org. Click the calendar of events, then the meeting name, and follow the link to materials.



DRAFT FULL COMMISSION MEETING MINUTES **August 1, 2024**

This was a virtual meeting as allowed by Ch. 2 of the Acts of 2023 extending certain provisions of the Open Meeting Law, G.L. c.30 sec.20 until March 31, 2025.

I. Opening

A. The meeting was called to order at 6:01 p.m.

Chair Malcolm Fick stated that per the open meeting law, BRPC was recording this meeting. Others may record the meeting after informing the meeting Chair. Documents presented must be provided to the Chair at the meeting.

B. Roll Call

The following Commission members were present:

John Duval – Adams Alternate
Alex Glover – Alford Delegate
Peter Traub – Cheshire Delegate
Robert Collins – Dalton Delegate, left at 6:37 for another meeting
Mary McGurn – Egremont Delegate
Cynthia Bosley – Florida Delegate
Pedro Pachano – Great Barrington Delegate
Malcolm Fick – Great Barrington Alternate
Tony Zaniboni – Hinsdale Delegate
Leanne Yinger – Lanesborough Delegate
Buck Donovan – Lee Delegate
Justine Dodds – Pittsfield Alternate
Christine Rasmussen – Stockbridge Alternate
Samantha Page – Williamstown Delegate
Roger Bolton – Williamstown Alternate
Doug McNally – Windsor Delegate

Towns with no Delegate or Alternate present:

Clarksburg, Hancock, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, North Adams, Otis, Peru, Pittsfield, Richmond, Sandisfield, Savoy, Sheffield, Tyringham, Washington, West Stockbridge

Staff Present:

Thomas Matuszko, Marianne Sniezek, Kate Hill Tapia, Laura Brennan, Melissa Provencher, Wylie Goodman

Others Present: Pittsfield Community Television; 413-854-8175

C. Vote to Approve Minutes of the May 16, 2024 Commission Full Meeting

Douglas McNally moved to approve the May 16, 2024, draft meeting minutes; Buck Donovan seconded the motion. There was no discussion. The minutes were approved with a roll call vote with Peter Traub, Mary McGurn, Pedro Pachano, Leanne Yinger, Buck Donovan, Christine Rasmussen, and Doug McNally voting to approve.

Abstained: John Duval, Alex Glover, Cynthia Bosley, Tony Zaniboni, Justine Dodds, Samantha Page

II. Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates

None

III. Comments from the Public

None

IV. Presentation of Executive Committee Actions

The Executive Committee actions taken on the Commission's behalf at its June 6, June 20, and July 2, 2024 meetings were in the meeting materials, including comment letters submitted on the City of North Adams Expanded Environmental Notification for the Mount Williams Reservoir Dam and Notch Reservoir Dam improvements and the U.S. Department of Energy's National Interest Electric Transmission Corridor proposal.

V. Vote to Ratify Appointment of Representatives to Related Groups Not Under the Jurisdiction of the Commission

BRPC bylaws require the Commission to ratify appointments to related groups not under the jurisdiction of the Commission made by the Executive Committee.

- Westfield River Wild and Scenic Advisory Committee: Doug McNally
- Woodlands Partnership of Northwest Massachusetts: Chris Cozzaglio
- MPO Alternate - Sam Haupt

Pedro Pachano moved to approve the following appointees to related groups not under the jurisdiction of the Commission: Westfield River Wild and Scenic Advisory Committee: Doug McNally; Woodlands Partnership of Northwest Massachusetts: Chris Cozzaglio; Metropolitan Planning Organization Alternate: Sam Haupt.

Christine Rasmussen seconded the motion. The motion was approved with a roll call vote: John Duval, Alex Glover, Peter Traub, Robert Collins, Mary McGurn, Cynthia Bosley, Pedro Pachano, Tony Zaniboni, Leanne Yinger, Buck Donovan, Justine Dodds, Christine Rasmussen, and Samantha Page.

Abstained: Doug McNally

VI. Update on the BEAD (Broadband Equity, Access, and Deployment) Challenge process

The BEAD Challenge, which closed July 20, 2024, allowed residents to test their internet speed and compare it with what their internet service provider indicates is being provided. This test was necessary to access funding to improve internet speed. BRPC Senior Planner Wylie Goodman presented results for Berkshire County.

There was a short thirty-day window to collect the internet speed data to correct Federal Communications Commission maps. BRPC's Digital Equity Team worked with twenty participating municipalities. The hope is that federal money will help cover the costs of connecting hard-to-connect properties. The rebuttal period ends 8/26/24. Final map data should be available on 10/18/24. It isn't clear what funding will be available or when.

VII. Presentation on the Berkshire Brownfields Program

BRPC Energy and Environmental Program Manager Melissa Provencher briefed the Commission on the highly successful Berkshire Brownfields Program. The infographics are posted under [Agenda & Minutes](#) on the BRPC website.

This program offers site assessments and a revolving loan fund (RLF) to clean contaminated properties. Over 20 years, BRPC has helped to secure thirteen assessment grants, seven cleanup grants, two RLF grants, and one area-wide planning grant totaling \$21,000,000. The Environmental Protection Agency is the sole funder. Sixty-three sites in twelve communities have been assessed and or cleaned up: Williamstown, North Adams, Adams, Dalton, Pittsfield, Richmond, Lenox, Washington, Becket, Lee, Stockbridge, and Great Barrington. Greylock Works is an example of a large complex site with many pollutants that have benefited from the program.

Contact [Melissa Provencher](#) if you want to discuss a site needing attention.

VIII. Vote to Submit Feedback Comments on the Massachusetts Department of Energy Resources (DOER) Straw Proposal for its Solar Massachusetts Renewable Target (SMART) Program

The DOER's SMART Program is a long-term sustainable solar incentive program promoting the Commonwealth's cost-effective solar development. DOER is requesting feedback on its Straw Proposal regarding possible changes. BRPC comments emphasize the importance of local control and the need for sufficient adders. The comment letter is posted under the [meeting materials](#) on the BRPC website.

Doug McNally moved to approve the submission of feedback comments on The DOER's SMART Program, a long-term sustainable solar incentive program promoting cost-effective solar development in the Commonwealth.

Buck Donovan seconded the motion. The motion was approved with a roll call vote: John Duval, Alex Glover, Peter Traub, Mary McGurn, Cynthia Bosley, Pedro Pachano, Tony Zaniboni, Leanne Yinger, Buck Donovan, Justine Dodds, Christine Rasmussen, Samantha Page, and Doug McNally.

IX. Update on the Commonwealth's Legislative Session

The Massachusetts Legislature session had many consequential pieces of legislation for its consideration. Tom provided an update on items related to BRPC's work. Notes on relevant legislation are on the BRPC [website](#).

X. Adjournment

Doug McNally Bolton motioned to adjourn, seconded by Buck Donovan, and approved by roll call vote: John Duval, Alex Glover, Peter Traub, Mary McGurn, Cynthia Bosley, Pedro Pachano, Tony Zaniboni, Leanne Yinger, Buck Donovan, Justine Dodds, Christine Rasmussen, Samantha Page, and Doug McNally.

The meeting was adjourned at 7:19 p.m.

The next meeting is scheduled for Wednesday, September 25, 2024 at 4:00 p.m. at Balderdash Cellars' barn prior to the Annual Meeting & Reception 5:00 – 7:00 p.m.



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Berkshire Regional Planning Commission

MALCOLM FICK, Chair
JOHN DUVAL, Vice-Chair
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BUCK DONOVAN, Treasurer
THOMAS MATUSZKO,
Executive Director

MEMORANDUM

TO: Delegates and Alternates, Berkshire Regional Planning Commission
FROM: Thomas Matuszko, Executive Director
DATE: September 18, 2024
SUBJ: Executive Committee Actions for
August 1, 2024 and September 12, 2024 Meetings

Per the BRPC bylaws, actions taken by the Executive Committee on the Commission's behalf are reported and presented for discussion at the next Commission meeting. The Executive Committee took the following actions at the August 1, 2024 and September 12, 2024 Executive Committee meetings.

Executive Committee Actions on August 1, 2024

Approved the minutes of the July 2, 2024, BRPC Executive Committee meeting

Approved the June 28 – July 25, 2024, Expenditures Report

Authorized the Executive Director to enter into intergovernmental agreements and contracts with municipalities in FY25.

Approved the submission of a grant application to the Massachusetts Interlocal Insurance Association Wellness Program for \$5,000.

Approved changes to the BRPC personnel pay plan to remove an offsite Senior Planner position and add three offsite positions: Public Health Subject Matter Expert, Public Health Community Coordinator, and Group Purchasing Coordinator.

Approved to award Representative Smitty Pignatelli with the 2024 Kusik Award

Executive Committee Actions on September 12, 2024

Approved the minutes of the August 1, 2024, BRPC Executive Committee meeting.

Approved the July 24 – September 1, 2024, Expenditures Report

Authorized the disposal or offering of Surplus Equipment to Municipalities. The items included 6 H.P. ProBook Computers, one Dell Monitor to be Disposed of, and 6 ProBook and 1 EliteBook Computers to be Offered to Municipalities.

Approved the submission of a grant application to the U.S. Department of Housing and Urban Development, FY24 Pathways to Removing Obstacles to Housing (PRO Housing) Program, and as an Element of that Application, Approved a PRO Housing Certification for Multijurisdictional Entity Applicants.



HOME MODIFICATION LOAN PROGRAM

Home Modification Loan Program (HMLP) is a state-funded lending program that provides loans to homeowners and small landlords to fund necessary changes to keep disabled or elderly family members in their own homes and communities.

This is not a home repair program and is not a resource to repair roofs, windows, or heating and septic systems. Work must be completed by contractors who are licensed and insured.

Loan Information

- \$1,000 to \$50,000 loans to property owners
- 0% interest
- No monthly payments or interest
- Repayment is required when property is sold or transferred
- \$1,000 to \$30,000 loans to owners of manufactured or mobile homes
- Landlords with fewer than 10 units may be eligible for a 3% loan for a tenant

Possible Modifications:

- Bathroom & kitchen modifications
- Ramps
- Stair-lifts, and/or platform lifts
- Sensory or therapy spaces
- Hard-wired alarm systems
- Fences
- Accessory dwelling units

Eligibility is based on:

- Income
- Documentation of need from professional
- Proposed modification

2023 Income Guidelines	
Household Size	Eligible with Gross Income up to:
1	\$207,800
2	\$237,600
3	\$267,200
4	\$296,800
5	\$320,600
6	\$344,400
7	\$368,200
8	\$391,800



Community Economic Development Assistance Corporation

HMLP is a MRC program in collaboration with CEDAC

Find out if you qualify today at www.cedac.org/find-out-if-you-qualify

REGIONAL PROVIDER AGENCIES

Berkshire County

Berkshire Regional Planning Commission, Christie Lewis, 413-442-1521 ext. 23, clewis@berkshireplanning.org

Franklin County

Franklin County Regional Housing & Redevelopment Authority, Tana Bloom, 413-223-5211, tbloom@fcrhra.org

Hampden & Hampshire Counties

Valley Community Development, Donna Cabana, 413-586-5855 ext. 180, hmlp@valleycdc.org

Greater Springfield

Way Finders, Amneris Moreno, 413-233-1615, amoreno@wayfinders.org

Central Massachusetts

RCAP Solutions, Ashur Gurbuz, 978-630-6725, agurbuz@rcapsolutions.org

MetroWest

South Middlesex Opportunity Council, Kimberly Yau, 508-326-5349, hmlp@smoc.org

Northeast Massachusetts

Community Teamwork, Cathi Tammany, 351-322-5512, ctammany@commteam.org

Greater Boston

Metro Housing Boston, Jennifer Shaw, 617-425-6637, jennifer.shaw@metrohousingboston.org

Southeast Massachusetts

NeighborWorks Housing Solutions, Julie Lane, 781-422-4202, jlane@nhsmass.org

Cape & Islands

South Middlesex Opportunity Council, Kimberly Yau, 508-326-5349, hmlp@smoc.org

For more information visit www.cedac.org/hmlp

You may also contact Susan Gillam, HMLP Project Manager at 1-866-500-5599 or sgillam@cedac.org

LEGISLATIVE PRIORITIES – RURAL POLICY ADVISORY COMMISSION – 193RD SESSION (2023-2024)

(DRAFT – LEGISLATIVE ACTIONS (RED) HAVE NOT BEEN VERIFIED)

RURAL ADVOCACY

- **H.403/S.233 - An Act Relative to the Rural Policy Advisory Commission** - Creates and Office of Rural Policy and includes administrative fixes to include SRPEDD on the Rural Policy Advisory Commission (RPAC) *Referred to the committee on [Rules of the two branches, acting concurrently](#)*

RURAL ECONOMIC DEVELOPMENT

- **H404/S232 - An Act to support rural job creation and business expansion (Transformative Development Initiatives in Rural Communities)** - This Bill creates a rural equivalent to the very successful Gateway City Transformational Development initiative program and focuses on creating sustainable rural village center economic strategies. *Referred to study.*
- **H228/S130 - An Act to Promote Downtown Vitality** - Would allocate 5% of receipts from online sales originating in MA to support business improvement districts, main street associations, cultural districts, and parking benefit districts in Gateway Cities and other low-income communities. Currently weighted to Gateway Cities. *New Draft, H 4677, Referred to [House Ways and Means](#)*

RURAL ROADS, BRIDGES & CULVERTS

- **S2270 - An Act to review the municipal Chapter 90 transportation funding program.** Creates a Chapter 90 Commission to evaluate the municipal infrastructure reimbursement program known as “Chapter 90. *Referred to study.*
- **H3273 - An Act to Invest in Local Roads.** Provides road improvement grants based on road mileage. *Referred to study.*
- **H3409 - An Act promoting equitable distribution of Chapter 90 funds.** Changes the Chapter 90 formula to emphasize road mileage. *Referred to study.*
- **H3270/S2337 - An Act Relative to Unpaved Roads** - Convenes a working group to identify and evaluate how to maintain and improve dirt, gravel and low volume roads. *Referred to [House Ways and Means.](#)*

RURAL SCHOOLS

- **H3567/S2388 - An Act to provide a sustainable future for rural schools** - Implementation of recommendations in Rural Schools Report: \$60m for rural and small schools, SPED; transportation health insurance; etc. *New draft, H4425, Referred to [House Ways and Means](#)*

HOUSING

- **S.1771 - An Act granting a local option for a real estate transfer fee to fund affordable housing.** - Enables a transfer fee on the sale of housing for affordable housing purposes. Referred to [House Committee on Rules](#)
- **H2788 - An Act empowering cities and towns to impose a mansion fee to support affordable housing.** - Enables a transfer fee on the sale of housing exceeding \$1,000,000 for affordable housing purposes. Referred to study.
- **S.1799/H.2894 - An Act providing for climate change adaptation infrastructure and affordable housing investments in the Commonwealth.** Provides funding to implement recommendations related to housing and Clean energy. Referred to study.

MUNICIPAL OPERATIONS

- **H.2714/S.2831 - An Act to Reform Payments in Lieu of Taxes for State-Owned Land -** Implementation of new, more equitable distribution formula. Referred to [House Ways and Means](#)
- **H.3040/S.2024 - An Act to modernize participation in public meetings** (Extends remote meetings past 3/31). *New Draft, H4771, Referred to [House Ways and Means](#)*
- **H.2998 - An Act to modernize participation in public meetings** (Extends remote meetings past 3/31) *New Draft, H4771*

AGRICULTURE

- **H3269 - An Act to enhance agricultural operations** - Allows farm vehicles, specifically ATVs, to travel on public ways. Referred to [House Ways and Means](#)
- **S2570 (formerly S42) (H88/S42) - An Act Strengthening Local Food Systems (Formerly An Act support the Commonwealth's farmers)** - Agricultural Omnibus bill that allows MDAR to buy, protect, and sell land; provide circuit rider TA to famers; and provided next generation and microbusiness support. Referred to [Senate Ways and Means](#)
- **S2241 - An Act to ensure financial viability in the transportation of farm goods.** Allows for a single fee for a farm plate. Referred to [Senate Ways and Means](#)
- **H753/S490 (H4228) - An Act relative to agricultural disaster relief** - Establishes a Massachusetts Agricultural Disaster Relief Fund to assist farmers whose farms have suffered serious losses from unforeseen circumstances such as natural disasters. . Referred to [House Ways and Means](#)

MUNICIPAL BUILDING NEEDS

- **H3802 - An Act Creating a Municipal and Public Safety Building Authority** - Creates an authority to provide capacity and TA, standard design plans, and funding assistance. Referred to [House Ways and Means](#)

PUBLIC HEALTH

- **H4101/S1334 - An Act relative to accelerating improvements to the local and regional public health system to address disparities in the delivery of public health services**

(SAPHE 2.0) - SAPHE 2.0. Standardizes local PH delivery; adds credentialing requirements.
Referred to House Ways and Means

CLIMATE

- **S675 - An Act creating a climate bank in Massachusetts** - Would codify a Green Bank to raise funds and invest in efforts to reduce greenhouse gas (GHG) emissions, and leverage federal funding opportunities. *Referred to study.*

DRAFT - LEGISLATIVE ACTION HAS NOT BEEN VERIFIED



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THOMAS MATUSZKO,
Executive Director

MEMORANDUM

TO: Berkshire Regional Planning Commission Delegates & Alternates
FROM: Thomas Matuszko, Executive Director
DATE: September 20, 2024
SUBJ: September 25, 2024, Commission Meeting

A. **2024 Municipal Conference Registration Now Open**

The Massachusetts Association of Regional Planning Agencies (MARPA) and the Division of Local Services (DLS) invite you to join your fellow municipal leaders and staff at the 2024 MARPA and DLS Conference at The College of the Holy Cross in Worcester on Tuesday, October 8th from 9:00 am to 12:30pm.

Lt. Governor Kim Driscoll and a panel of Cabinet members - to be announced - will be in attendance to get the conference started. We will then break into sessions focused on a wide array of issues and opportunities facing the Commonwealth, facilitated by subject matter experts from across Massachusetts.

[Click here to learn more and register.](#)

B. **Berkshire 25 Award Winner**

For the past 11 years, Berkshire Magazine has recognized individuals who work to make a better Berkshires. BRPC Energy and Environmental Program Manager, Melissa Provencher is one of the individuals recognized this year for her work keeping the Berkshires green, especially for her leadership of the highly successful Berkshire Brownfields Program. Congratulations to Melissa on this much deserved recognition. She will be celebrated at a recognition ceremony at 5:30 on September 30, 2024, at Barrington Stage Company's Boyd-Quinson Stage, 30 Union St. Pittsfield. Tickets can be purchased [here](#).