



Executive Committee Minutes Thursday, January 2, 2025

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. Call to Order & Open Meeting Law Statement

Chair Malcolm Fick called the meeting to order at 4:00 pm as 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. He stated that BRPC was recording the meeting and said if anyone else wanted to record it, they needed to inform him.

II. Roll Call:

Office Administrator Kate Hill Tapia read the roll call:

Members Present:

Malcolm Fick, Chair, Great Barrington Alternate
John Duval, Vice Chair, Adams Alternate
Buck Donovan, Treasurer, Finance Committee Chair, Lee Delegate
Kyle Hanlon, CEDS Chair, At-Large, North Adams Delegate
Sam Haupt, TAC Chair, At-Large, Peru Delegate
Christine Rasmussen, Regional Issues Committee Chair, Stockbridge Alternate
Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate
Douglas McNally, Commission Development Committee Chair, Windsor Delegate

Members not Present:

Sheila Irvin, Clerk, Pittsfield Delegate

Others Present:

Mary McGurn, Egremont Delegate; Mark Smith, Lenox; Brittany Polito, iberkshire staff

Staff Present:

Tom Matuszko, Executive Director; Laura Brennen, Assistant Director;
Marianne Sniezek, Office Manager; Kate Hill Tapia, Office Administrator;
Cornelius (CJ) Hoss, Community Development & Housing Program Manager

III. Vote to Approve December 5, 2024, Minutes

Kyle Hanlon motioned to approve the December 5, 2024, meeting minutes. Doug McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck Donovan, Kyle Hanlon, Sam Haupt, Christine Rasmussen, Roger Bolton, and Doug McNally.

IV. Financial Reports

A. Vote to Approve the November 28 – December 20, 2024, Expenditures Report

Doug McNally motioned to approve the November 28 – December 20, 2024 expenditures report. Kyle Hanlon seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck Donovan, Kyle Hanlon, Sam Haupt, Christine Rasmussen, Roger Bolton, and Doug McNally.

B. Report on the Accounts Receivable – December 2024

Buck Donovan followed up with Monterey officials on outstanding invoices, and additional copies have been sent. No further action is needed currently.

C. Report on the Line of Credit

The Line of Credit did not need to be used. Cash flow is still good.

V. Open Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates not to be further discussed at this meeting by the Executive Committee.

Mary McGurn thanked the Commission for the honor of the tribute to her late husband and Select Board Chair, George McGurn, in the 2024 Annual Report.

VI. Items Requiring Action

A. Vote to Authorize the Environmental Review Committee to Submit Comments to the Massachusetts Environmental Policy Act (MEPA) Office on Behalf of the Berkshire Regional Planning Commission on the Expanded Environmental Notification Form and Environmental Impact Report for the Berkshire Natural Resources Property Exploration Wells Project in Great Barrington

The Executive Committee was asked to authorize the Environmental Review Committee to submit comments to the Massachusetts Environmental Policy Act (MEPA) Office on behalf of the Berkshire Regional Planning Commission on the Expanded Environmental Notification Form (EENF) and Environmental Impact Report for the Berkshire Natural Resources Property Exploration Wells Project in Great Barrington.

The Prudential Committee for the Great Barrington Fire District is exploring a new groundwater supply to supplement its sole source (The Green River Infiltration Gallery, developed in 1934). The District wants to install up to two exploration wells on property owned by the Berkshire Natural Resources Council. The project requires one or more State Agency activities. It exceeds the review threshold for an Environmental Notification Form (ENF) because of the alteration of 5,000 or more sf of bordering or isolated vegetated Wetlands.

An Environmental Impact Report (EIR), in addition to the EENF, is required because the project site is within one mile of mapped Environmental Justice (EJ) Communities. Comments may or may not be needed.

Roger Bolton moved to authorize the Environmental Review Committee to submit comments, if necessary, to the Massachusetts Environmental Policy Act (MEPA) Office on behalf of the Berkshire Regional Planning Commission on the Expanded Environmental Notification Form and Environmental Impact Report for the Berkshire Natural Resources Property Exploration Wells Project in Great Barrington. Douglas McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck Donovan, Kyle Hanlon, Sam Haupt, Christine Rasmussen, Roger Bolton, and Doug McNally.

B. Vote to Authorize the BRPC Executive Director to Submit Comments to the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) on Accessory Dwelling Units Draft Regulations

The Executive Committee was asked to authorize the BRPC Executive Director to submit comments to the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) on Accessory Dwelling Units (ADU) Draft Regulations.

The Massachusetts Executive Office of Housing and Livable Communities (EOHLC) has drafted regulations intended to clarify the administration of the new ADU law. Comments may be provided by January 10, when there will also be a public hearing. Final regulations will be issued by the effective date of the ADU law, February 2, 2025. BRPC collected comments from various municipalities and prepared draft comments that are in the meeting materials. Cornelius Hoss reviewed the comments highlighting concerns related to the following:

- Single Family Zoning District
- Non-conformities
- Principal Dwellings
- Parking

Much discussion occurred about parking and concerns that some regulations are only relevant to urban communities with robust public transit. There is concern about ADUs approved by special permit before the new law, giving the property owner the right to build a second one if it is 900 sq ft or less and complies with other regulations. Tom and CJ will continue to edit the comments incorporating the discussion.

Doug McNally moved to authorize the BRPC Executive Director to submit comments to the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) on Accessory Dwelling Units Draft Regulations. Sam Haupt seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck Donovan, Kyle Hanlon, Sam Haupt, Christine Rasmussen, Roger Bolton, and Doug McNally.

VII. Committee Report and Discussion

A. Berkshire Metropolitan Planning Organization (MPO)

The MPO met on December 31, 2024, and discussed TIP amendments and

approval of project listings proposed for MassDOT's Resilience Improvement Plan for culverts. Draft minutes have not been prepared.

B. BRPC Finance Committee

The Finance Committee will meet on January 23, 2025, to review and approve the FY2024 BRPC Audit.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 11/27/2024 to 12/20/2024.

- Public Health Institute of Western Mass - Support of 413 Cares Regional Partnership 2025 - \$11,100
- MAPC - Western Region Homeland Security Advisory Council - Emergency Planning - \$24,500
- Pittsfield - ADA Planning Grant - \$40,000
- North Adams - ADA Planning Grant - \$50,000
- Williamstown - ADA Planning Grant - \$45,000

Grants and Contracts not received.

- BRPC is not aware of any grants that have not been received.

B. Berkshires Tomorrow Inc. (BTI) Update

- The BTI board approved the following:
 - Revision of BTI Bylaws
The change is to align BTI Bylaws to the recently changed BRPC bylaws and the election of BRPC's officers from biannually to annually.
 - Yearly Election of Officers. (The FY2025 officers do not receive compensation.)
President: Malcolm Fick
Vice President: John Duval
Treasurer: Buck Donovan
Clerk: Marianne Sniezek
Directors: Sheila Irvin, Thomas Matuszko, Malcolm Fick, John Duval, Buck Donovan
- Director and Officers' Yearly Conflict of Interest Statements
- Check registers:
July 1, 2023, to June 30, 2024
July 1, 2024, to November 30, 2024

C. Staff Update

- Open Positions:
 - Community Social Worker
 - Public Health Training Specialist
 - Public Health Planner/Sr Planner (Emergency Preparedness)
- Internships
 - Outdoor Recreation Internships
 - Other programs are assessing their needs for summer interns
- Retired
 - Lauren Gaherty – Lauren started at BRPC as an intern in 1997. In 1998, she was hired as a full-time planner. Lauren retired from full-

time work in 2019 and worked as a part-time project specialist assisting the Community Planning and Environmental Programs.

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on December 13, 2024. The main agenda items were an update from the Director of Rural Affairs and a discussion about legislation and legislative priorities for the upcoming legislative session.

E. Seasonal Communities Advisory Council Update

Seasonal Communities Advisory Council met on December 12, 2024. It was primarily an introductory/organizational meeting. Executive Office of Housing and Livable Communities staff released and discussed an initial guidance document. The Bylaws and Guidance documents were included with the meeting material. So far, the following eight Berkshire County towns are designated seasonal communities: Alford, Becket, Hancock, Monterey, Mount Washington, Otis, Stockbridge, and Tyringham. The benefits are not yet clear.

F. Passenger Rail

- West-East Rail – MassDOT released the results of an initial feasibility study regarding the location of a future train station in Palmer. Six sites met the criteria; the existing historic station did not. The next step is more analysis of the sites with conceptual designs scheduled for mid-2025.
- Berkshire Flyer – No known activity over the past month.
- Northern Tier Passenger Rail – No known activity over the past month.

G. BRTA Announces New Pilot Pittsfield Paratransit Evening Service

Berkshire Regional Transit Authority (BRTA) received funding from the Massachusetts Department of Transportation for pilot evening Paratransit service through June 30, 2025. This pilot evening service, launched December 18, 2024, is for BRTA Paratransit customers traveling to or from Adams, North Adams, Williamstown, Cheshire, Lanesborough, New Ashford, Pittsfield, Dalton, Hinsdale, Lenox, Lee, Stockbridge, and Great Barrington, Monday – Saturday, 7 pm-10 pm. This project aims to enhance and expand the ability of eligible BRTA Paratransit customers who require an accessible vehicle for travelling in the evenings to destinations within these communities. Riders must call (413) 499-2782 extension 3 to book transportation. Additional information is available at info@berkshirerta.com.

H. Department of Conservation and Recreation Proposed Land Acquisition – Adams

The Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (DCR), is considering the acquisition of land comprising approximately 110 acres off of East Mountain Road in the Town of Adams. The property is currently undeveloped forested land used for outdoor recreation and as a woodlot. The proposed use of the property will be for natural resource protection and outdoor public recreation, and it will be managed as part of the Savoy Mountain State Forest. A locus map marked "Exhibit A," which shows the property in which DCR is interested, was included in the meeting material.

I. EOTSS and Cyber Security Opportunities

The Office of Municipal and School Technology within the Massachusetts Office of Technology Services and Security (EOTSS) supports local government efforts to effectively serve their residents, students, and employees' use of technology. Ralph DeLeo, ralph.deleo@mass.gov, (617) 626-4626, ensures municipalities are current with cyber security measures. Berkshire County municipalities have a very low participation rate in the EOTSS training sessions. There are several programs municipalities can participate in, such as the [Municipal Cybersecurity Awareness Grant Program | Mass.gov](#). Interested municipal officials should contact Mr. Deleo.

J. Permit Extension Act

The Massachusetts Economic Development Bill included a provision to support development by allowing vetted and approved projects more time to begin construction and reduce the risk of being affected by new zoning language passed after the project's approval. The bill provides a blanket two-year permit extension for state and local permits for projects approved during a tolling period covering 2023 and 2024. The bill would also protect projects approved under municipal special permits from retroactive zoning changes for three years; the current protection is one year. A summary of the provisions prepared by the Mirick O'Connell law firm was included in the meeting material.

K. Addiction and Substance Use Disorder Bill

Late in the legislative session, the Governor signed the Addiction and Substance Use Disorder Bill, which de-stigmatizes substance use disorder and emphasizes recovery and care. These provisions should assist our work through the Berkshire Overdose and Addiction Prevention Collaborative. A summary of the bill prepared by the State House News was included with the meeting material.

IX. Old Business

A. The U.S. Department of Energy's (DOE) National Interest Electric Transmission Corridor (NIETC) Phase 3 Determination

The DOE has announced the electric transmission corridors that will undergo the next phase (Phase 3) of the NIETC designation. The transmission corridor through Berkshire and Franklin Counties, the so-called New York-New England corridor was not selected. DOE's press release was included in the meeting material.

X. New Business

A. Discussion of Topics for the January 16 Commission Meeting

- Invite newly elected State Representative Leigh Davis
- Set FY 26 Assessment
- Continued discussion of budgetary and legislative priorities

XI. Adjournment

Kyle Hanlon made a motion to adjourn. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval,

Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon. The meeting adjourned at 4:54 pm.

Additional Meeting Material:

- 2024.12.05.04 Executive Committee Meeting Minutes – Unapproved DRAFT
- November 28, 2024 – December 20, 2024 Expenditures Report
- December 2024 Aged Receivables Report
- 2025.01.05 Line of Credit Report
- 2024.12.28 Executive Director Memorandum
- ADU Comments to EOHLC – Unapproved DRAFT
- Seasonal Communities Advisory Council Bylaws 12.12.2024
- Seasonal Communities Guidelines 12.12.2024
- Map - DCR Proposed Acquisition-Adams
- Permit Extension Summary
- DOE-NEITC Phase 3 Determination 12.16.24
- Addiction and Substance Use Disorder Bill Summary – State House News.
- November 2024 – Technical Assistance Memorandum