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## **APPROVED FULL COMMISSION MEETING MINUTES September 18, 2025**

This was a virtual meeting as allowed by An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency extending certain provisions of the Open Meeting Law, G.L. c.30A sec.20 until June 30, 2027

### **I. Opening**

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

Chair Malcolm Fick stated that in accordance with the provisions of the Massachusetts Open Meeting Law:

Meetings of the BRPC Commission Committee are recorded. Others may record meetings after informing the Chair that they wish to do so, if the method of recording does not interfere with the conduct of the meeting. Others recording the meeting were an AI notetaker and PCTV.

#### **B.** The following Commission members were present:

Christian Rowe - Adams Delegate  
Al Blake - Becket Delegate  
Diana Mott - Becket Alternate  
Mary McGurn - Egremont Delegate  
Malcolm Fick - Great Barrington Alternate  
Keith Harrison - Hinsdale Delegate  
Buck Donovan - Lee Delegate  
Laura Mensi - Monterey Delegate  
John Flecher - Otis Delegate  
Sheila Irvin - Pittsfield Delegate  
Cassandra Williams - Savoy Delegate  
Sari Hoy - Sheffield Delegate  
Christine Rasmussen - Stockbridge Alternate  
Erik Reardon - Williamstown Delegate  
Sarah Gardner - Williamstown Alternate  
Douglas McNally - Windsor Delegate

Towns with no Delegate or Alternate present:

Alford, Cheshire, Clarksburg, Dalton, Florida, Hancock, Lanesborough, Lenox, Mount Washington, New Ashford, New Marlborough, North Adams, Peru, Richmond, Sandisfield, Tyringham, Washington, West Stockbridge

Staff Present:

Laura Brennan, Marianne Snizek, and Brett Roberts

Others Present:

Claire Morehouse, Executive Office of Housing and Livable Communities (EOHLC)  
ADU Coordinator  
Filipe Zamborlini, Executive Office of Housing and Livable Communities (EOHLC)  
Manager, Community Assistance Unit  
Leanne Yinger, Lanesborough

**C. Vote to Approve Minutes of the July 17, 2025 Commission Meeting**

Doug McNally motioned to approve the May 15, 2025, draft meeting minutes. Christine Rasmussen seconded the motion. A roll call vote approved it: Mary McGurn, Malcolm Fick, Buck Donovan, Laura Mensi, Sheila Irvin, Sari Hoy, Christine Rasmussen, Sarah Gardner, and Doug McNally.

Abstained: Christian Rowe, Al Blake, Diana Mott, Keith Harrison, John Fletcher, Cassandra Williams

**II. Welcome to Newly Appointed Alternate or Alternate Delegates**

Malcolm welcomed new Commission members and encouraged all to attend the Commission meetings. Malcolm also suggested that people look through the list of committees and see if something interests them and consider serving on one.

Adams	Christian Rowe	Delegate
Becket	Al Blake	Delegate
Hinsdale	Keith Harrison	Delegate
Savoy	Cassandra Williams	Delegate

Laura Brennan reported the Commissioner handbook had been emailed to Alternates and Delegates. BRPC is happy to provide an orientation.

**III. Comments from Delegates and Alternate Delegates**

Douglas McNally informed everyone that the Berkshire Regional Transit Authority (BRTA) Director is retiring in March. The BRTA board has extended an offer to a candidate for the role.

Al Blake commented on the following items:

- Siting Reform – It has been announced where the hearings will be, and none of them are in the Berkshires. I would like to see if BRPC can assist with a hearing held in Berkshire County.  
Malcolm indicated that the Commission sent many letters and comments on the siting reform.
- Seasonal Communities Designation – Becket tried to vote on it at their last town meeting, but it got tabled because no one could understand it. Al asked if BRPC could assist the communities.

**IV. Comments from the Public**

There were no comments from the public.

## **V. Presentation on and Discussion about the new Accessory Dwelling Unit (ADU) Law and Regulations**

The Executive Office of Housing and Livable Communities (EOHLC) ADU Coordinator Claire Morehouse discussed resources and technical assistance material, highlighted key FAQs and best practices, highlighted current and upcoming EOHLC ADU-related initiatives, and engaged in a question-and-answer session.

Claire covered some key highlights of the ADU law and regulations. She highlighted some resources that can hopefully help planners' day-to-day work and current efforts, and shared new initiatives, best practices, and over 30 frequently asked questions and their answers. There are webinars, recordings, and slides on the ADU law and regulations, ADU model zoning, MAPC, and MHP shared information about the ADU Model, and how cities and towns can use this tool. The Office of the Attorney General of Massachusetts Municipal Law (MLU) decision Look up tool is an important tool.

Current efforts:

- Supporting cities and towns in amending or adopting ADU zoning
- Bylaw review of bylaws & decisions published
- Outreach and Education

ADU Initiatives:

- Design – goal to spread awareness and lower costs
- CIP Funding - \$5 million announced to support pre-development and development costs
- Data Collection – over 500 ADUs have been approved as of 6/30/2025

### **Questions and Comments from the Commission:**

Al Blake: Becket has chosen to put the option for a second ADU and asked if there are any sample bylaws on that, and your opinion?

Response: The model zoning shows how to handle the second ADU. The second ADU, as is written in the statute, must be obtained by special permit. It was suggested that Becket contact the Attorney General's office, Municipal Law Unit, for more information.

Mary McGurn: Egremont adopted an ADU bylaw in 2019. It was updated on February 4, 2025, along with several other major changes to their zoning. Egremont had two strikeouts on their ADU bylaw: a ban on ADUs, which already had more than two dwellings, and a limitation of how many units can be rented. The AG struck both out. The town will have a special town meeting to rectify the strikeouts.

Laura Mensi, from Monterey, asked if the town could sublet ADU units. Is it just for workhouse housing, or is it for any other kind of housing?

Response: The law left it up to localities whether they wanted to regulate short-term rentals with ADUs. The law prohibits the use and occupancy restrictions. The short-term rental law, Chapter 64G, regulates short-term rentals. The law does not address subletting.

Can someone rent the protected-use ADU to anyone? Yes  
Can the property owner live in the main home and rent the ADU? Yes.  
Can the property owner live in the ADU and rent the principal dwelling? Yes.  
Can the property owner not live on the property and have both units rented?  
Yes  
Can the property owner have a family member live in the ADU? Yes.

Claire Morehouse, Accessory Dwelling Unit Coordinator  
[Claire.Morehouse@mass.gov](mailto:Claire.Morehouse@mass.gov)

Filipe Zamborlini, Manager, Community Assistance Unit  
[Filipe.Zamborlini@mass.gov](mailto:Filipe.Zamborlini@mass.gov)

The Accessory Dwelling Units (ADUs) presentation can be found on BRPC's website under additional meeting materials:  
<https://berkshireplanning.org/about/agendas-and-minutes/>. For more information: [www.mass.gov/adu](http://www.mass.gov/adu)

## **VI. Presentation of Executive Committee Actions**

Executive Committee actions taken at the August 7 and September 4, 2025 meetings were in the meeting packet. Malcolm explained that the Executive Committee meets monthly. The Commission can ask questions or comment on the Executive Committee's Actions. There were no questions or comments.

## **VII. Presentation of the Home Modification Loan Program**

The Home Modification Loan Program (HMLP) provides no-interest loans to modify or adapt the homes of older adults and individuals with disabilities residing Massachusetts. BRPC administers that program in Berkshire County for the Community Economic Development Assistance Corporation (CEDAC). Principal Planner Brett Roberts described the program.

HMLP is available to all 32 towns and cities to income-eligible residents. It is a 50-year loan program that's funded through the state, which provides up to \$50,000 for home modification for things like bathroom and kitchen modifications, ramps, stair lifts, platform lifts, sensory or therapy spaces in a home, hardwire alarm systems, fences, and accessory dwelling units. The program will help pay to construct an accessory dwelling unit and allow someone to live on the property and help care for the homeowner as they age, whether a home healthcare worker or a family member.

Brett explained that the income restrictions are based on household size. For a household of one, that household would have to make more than \$231,600 to be ineligible. Assets are checked, but that doesn't include any pension, Roths,

or retirement funds. The primary home is not included in the calculation. The applicant must own the home, but landlords can apply on behalf of their tenants for the program.

Other information:

- Massachusetts Historical Commission - Any exterior-type work must be reviewed and could be a barrier.
- Wells and Septic systems are not allowed under the program.

The Home Modification Loan Program (HMLP) flyer can be found on BRPC's website under additional meeting materials:

<https://berkshireplanning.org/about/agendas-and-minutes/>

### **VIII. Open Discussion by Commission Members about Current Items of Interest in their City or Town**

Delegates and Alternates were encouraged to discuss key items of interest in their city or Town, such as town meeting updates, development proposals, changes in municipal leadership, proposed development projects, etc.

Mary McGurn: Egremont will have an October 28 Special Town Meeting, which will include a zoning warrant article, but that's preliminary to the December 9th Special Town Meeting. Mary discussed a serious housing problem, and Egremont's zoning does not address it. She mentioned Berkshire Regional Planning Commission and the excellent housing production plan they produced for the town's Municipal Housing Trust. The town put together a fairly aggressive number of bylaws, including inclusionary affordability and several different housing types, including Cottage Cluster and mixed-use development. A tax incentive program should be implemented to encourage people to rent year-round instead of short-term rentals because they can get a certain percentage off their property taxes. The town also recently adopted a CPA at 3%.

Sari Hoy asked Mary to share Egremont's bylaws.

Al Blake from Becket asked if Egremont addressed tiny homes in their bylaws. Response: Yes, that is one of the affordable-by-design housing types that's allowed in the zoning for Cottage Cluster.

Doug McNally suggested working with the Commission to request a grant to help design models that allow growth in small rural communities that do not have sewer or water—a cluster with a single septic system that serves multiple residents.

Laura Mensi: Monterey only has one parcel of land that might be able to be used for housing. Other than that, it's all farmland.

Mary reported that Mark Maloy at BRPC had produced a build-out map for Egremont. The map gave the town an idea of the land that is not conserved or restricted that could be used for housing.

Laura Brennan reported that BRPC applied for the grant for BRPC to do a build-out analysis for all Berkshire County communities.

Al Blake: I think one of the things that could housing is that Becket has a lot of land that is not owned by the town but could use CPC money to acquire land.

Farmers, he stated, have a lot of land, but they don't use it all and might be amenable if the town offered to buy 5 or 10 acres to be used for housing.

## **IX. Executive Director's Report**

### **A. BRPC Delegates and Alternate Delegates**

The BRPC Policy body is made up of two representatives from each of the 32 municipalities in Berkshire County, the Delegate or Alternate Delegate (also called Alternate for short).

- Delegate: One municipal representative to BRPC, the Delegate, is from the Planning Board in a town or the Community Development Board in a city. This member is voted on by the Planning or Community Development Board.
- Alternate Delegate (Alternate): The other municipal representative to BRPC, the Alternate Delegate, is appointed by either the Select Board, Town Manager, or Mayor. This is an annual appointment. The only requirement for this position is that the Alternate Delegate be a resident of the municipality they represent.

If a city or town Planning or Community Development Board has not voted for a Delegate, a request was made to do so as soon as possible. A fillable PDF form was included in the meeting material. For Select Board, Town Manager, or Mayor who have not appointed an Alternate Delegate, a request was made to do so as soon as possible.

### **B. BRPC Committee Membership**

Much of the policy work of BRPC is done by various committees. Included in the meeting material was a list of Committee members. A request was made to consider joining one. BRPC staff are glad to speak with members about the work of any of these Committees.

### **C. Citizen Planner Training Collaborative (CPTC) Western MA Conference**

CPTC is coming to Western MA for an in-person conference on Saturday, October 4. Planning Board, Zoning Board, citizen or professional planner, were encouraged to attend the conference which will be held at Greenfield Community College in Greenfield, MA. This year, there will be four sessions in the morning (choice of one topic per timeslot), plus a continental breakfast will be available. Read more and register on the CPTC website:

<https://masscptc.org/index.php/training/western-conference/>

### **D. MARPA/DLS Annual Conference**

A request was made to join the Massachusetts Association of Regional Planning Agencies (MARPA) and the Division of Local Services (DLS) at the 2025 MARPA and DLS Conference. The conference will be held on Tuesday, October 7 at the Hogan Campus Center of College of the Holy Cross in Worcester. Doors will open at 8:30 am, and the conference will begin at 9 am. Registration and additional information are available at: <https://www.mapc.org/event/2025-marpa-and-dls-conference/>

### **E. BRPC Annual Meeting – October 16 at Proprietor's Lodge in Pittsfield**

The Annual Meeting will be held from 5 to 7 pm on October 16 at Proprietor's Lodge, 22 Waubeek Rd., Pittsfield. The event will begin with networking, a cash bar, and hearty appetizers, followed by guest speakers and presentation of the 2025 Kusik Awards. Honorees include: Ellen Kennedy, BCC; Rene Wood, Town of Sheffield; Meg Bandarra, Unpaved Trails for All; one additional honoree TBD.

[Tickets are \\$35 and are available for purchase on Eventbrite.com.](#)

Invoicing for tickets needs to be done through Laura Brennan at [lbrennan@berkshireplanning.org](mailto:lbrennan@berkshireplanning.org) prior to October 8.

Laura reported that October is National Community Planning Month and highlighted that the four very impactful women from around the region will be presented the Kusik award. Malcolm reinforced that all of you should go back and talk to your boards and committees about attending the annual meeting. It's always a good time, with good speakers and a chance to interact with others throughout the county.

#### **F. Berkshire County Municipal Officials Networking**

The Berkshire Municipal Managers Association, Berkshire Selectmen's Association, and BRPC continue to collaborate on quarterly networking events for elected and appointed officials. The next networking event will occur on Thursday, October 30, at the Greylock Glen Outdoor Center from 5 to 7 pm. Our special guest will be Inspector General Jeffery Shapiro. Please register in advance on Eventbrite: <https://www.eventbrite.com/e/berkshire-county-municipal-officials-networking-tickets-1497313257259?aff=oddtcreator>

#### **G. Seasonal Communities Regulations**

The Seasonal Communities Advisory Council met on September 11 to receive a Draft Regulation Update from EOHLC. The presentation included an overview of key definitions, including for an "Attainable Housing Unit," and the potential conditions related to designation, including Acceptance & Denial, possible revocation of Seasonal Communities status, and proposed zoning requirements or waivers thereof. The meeting also discussed Year-Round Housing and Employment-Specific (essential public employee preference) or Vocation-Specific (artist) Housing and explored some possible uses of the \$2M included in Governor Healey's CIP for Seasonal Communities. Draft regulations will be made available for public comment for one month, as the next step. Presentation slides were included.

*Please note: The presentation slides offer a plain language overview of the current status of draft regulations. The summaries provided are not complete restatements of current draft regulations, and adjustments may be made before draft regulations are made available for public comment.*

#### **X. Adjournment**

Doug McNally made a motion to adjourn. Sheila Irvin seconded the motion. A roll call approved the motion: Christian Rowe, Al Blake, Mary McGurn, Malcolm Fick, Keith Harrison, Buck Donovan, Laura Mensi, Sheila Irvin, John Fletcher, Cassandra Williams, Sari Hoy, Christine Rasmussen, Erik Reardon,

and Doug McNally. The meeting was adjourned at 8:40 pm.

***Documents and Exhibits Used:***

- *2025.07.17 Full Commission Minutes Draft*
- *Executive Committee Action Memo August and September 2025*
- *2025.09.11 Assistant Director Memo*
- *Comment letter on EPA's Endangerment Finding*
- *Comment letter on Social Consumption Draft Regulations*
- *Seasonal Communities Advisory Council Presentation*
- *FY26 Delegate Certification Form*
- *FY26 Alternate Delegate Appointment Form*
- *BRPC Committee Membership*
- *Additional Meeting Material – Presentation of the new Accessory Dwelling Unit (ADU) Law and Regulations, Home Modification Loan Program flyer*