



# Franklin Regional Council of Governments

## Franklin Regional Planning Board — *MINUTES*

Minutes	
Date:	Thursday, June 23, 2016
Time:	6:00 PM
Location:	JWO Transit Center, 12 Olive St., Greenfield, MA—1 <sup>st</sup> Floor Conference Room
Duration:	1.5 hours
Facilitator:	Jerry Lund, Chair

### FRPB MEMBERS PRESENT:

- Jim Basford, Orange At-Large
- Julia Blyth, Northfield Select Board
- Ted Cady, Warwick Planning Board
- Jan Carr, Heath At-Large
- Wayne Hachey, New Salem Select Board
- Tom Herrick, Sunderland
- Tom Hutcheson, Conway Select Board
- Sam Lovejoy, 1<sup>st</sup> Vice Chair, Montague At-Large
- Jerry Lund, Chair, Leyden At-Large
- Patricia Marcus, Greenfield At-Large
- Tom Miner, 2<sup>nd</sup> Vice Chair, Shelburne At-Large
- Charlie Olchowski, Greenfield At-Large
- Joan Rockwell, Colrain At-Large
- Mike Shaffer, Erving Planning Board
- Robert Snow, Leyden Planning Board
- Joe Strzegowski, Conway Planning Board
- David Travers, Heath Select Board
- Peter Tusinski, Leyden Planning Board
- Charles Washer, Shelburne Select Board
- Gisela Walker, Charlemont Planning Board
- Dena Willmore, Buckland Select Board
- Jeanie Schermesser, Erving At-Large
- Nathan L'Etoile, Northfield At-Large
- 

### GUESTS:

- Richie Davis, The Recorder
- Carlene Hayden
- Nancy Hazard

### FRCOG STAFF:

- Peggy Sloan, Planning Director
- Maureen Mullaney, Transportation and GIS Program Manager II
- Alyssa Larose, Land Use Planner

**1. Introductions: J. Lund, Chair - FRPB & FRPB Members**

J. Lund called the meeting to order at 6:03 PM and initiated introductions.

**2. Review and Approval of May 26, 2016 FRPB Minutes: J. Rockwell, Clerk - FRPB**

*T. Miner moved to approve the minutes of 5-26-16; G. Walker seconded the motion. The motion was approved unanimously.*

**3. Update on Passenger Rail and State & Local Bridges & Presentation on the Transportation Improvement Program (TIP) for 2017-2021 and FY 2017 U.P.W.P: M. Mullaney, Transportation & GIS Program Manager II - FRCOG**

Maureen Mullaney, Transportation and GIS Program Manager at FRCOG, first presented an update on passenger rail along the Knowledge Corridor. The Amtrak Vermonter service is currently running one round trip per day. Work is underway to clean up the ties that have been sitting along the tracks and this work should be done within 6 months. This has been a concern of communities. The platforms in Greenfield and Northampton were originally considered temporary; however, the MA Access Board has recently ruled that the existing platforms are acceptable. The plan is to extend the existing platform in Greenfield 120 feet, but there is no timeframe for when this will happen. It will not be a high-level concrete platform as originally planned.

Work is underway to increase service along the route. There is a line item on the State bond for donating old MBTA train sets and funding to rehabilitate them. Currently three options are being considered for additional service. FRCOG, PVPC, and MassDOT met with ConnDOT to see if they are interested in operating service north of Springfield. ConnDOT is increasing service to 25 round trips per day in 2017/8 between New Haven and Springfield. The other two options are for Amtrak to operate the MBTA equipment, or for Amtrak to operate its own trains. There are many logistics to work out but Mullaney is optimistic that an additional 6 to 8 runs between Greenfield and Springfield will be possible within the next five years.

A question was asked if there will be stops between Greenfield and Springfield. Mullaney answered that Northampton and Holyoke will be included as stops.

Mullaney noted that the FRCOG and PVPC have committed to using Congestion Mitigation Air Quality (CMAQ) funding towards operating a pilot. There is also a new website, [trainsinthevalley.org](http://trainsinthevalley.org), started by two train enthusiasts and serves as an up to date clearinghouse for information.

A comment was made that parking will have an impact on whether you can use the train. Mullaney noted that there is long term parking at the Hope Street lot but you have to get a +permit from the Town of Greenfield prior to parking there. It is expected that if Greenfield builds a parking garage there will be dedicated train parking.

A question was asked about the CRRC rail company building cars in Springfield for the MBTA, and whether anyone has talked with them about using cars from them? Mullaney answered that she was not aware of any conversations but that it is possible it has been discussed.

A Board member asked about east-west passenger rail. Mullaney said there is a very active project, the Northern New England Intercity Rail Initiative, that will connect Boston to New Haven via Springfield, and Boston to Montreal via Springfield, is expected to be running by 2018, to coincide with the ConnDOT New Haven to Springfield work. There are no current plans for east west service to Greenfield, but it is always included in long range plans.

Mullaney provided an overview of the Transportation Improvement Program (TIP). Any project receiving Federal transportation money needs to go through the process, which ranks and prioritizes projects and must be fiscally restrained. Every year the FRCOG gets funding targets. This year FRCOG is doing a 5 year TIP to coincide with the State Capital Investment Plan (CIP). The targets are consistent, about 5.5 million a year. The FRTA has a bump in funding over the next few years.

Mullaney ran through the upcoming projects. The 2016 project list is currently out for public review. Mullaney noted that sometimes projects get split between two years because they are too expensive to cover in one year. She pointed out that the General Pierce Bridge between Montague and Greenfield was recently added to the list for 2019. MassDOT will evaluate whether the bridge can be rehabilitated or needs to be replaced. A question was asked about how the projects are prioritized, since it has been a known fact for many years that the General Pierce Bridge was a problem. Why is it not at the top of the list? Mullaney answered that it will be done as soon as possible once design is completed, which takes time. Initially it was not put out for design because the towns did not want both the Avenue A Bridge and the General Pierce Bridge under construction at the same time. Also there has been a delay due to lack of funding. The bridge has been maintained in a safe condition. The State prioritizes bridges. The FRCOG is able to weigh in but does not have the final say.

There was a comment that reconstruction of Conway Road in Buckland was already underway, and that the TIP project must be a 2<sup>nd</sup> phase? Mullaney said she will follow up with the Town about it. A question about a bridge project in Orange was raised as to whether it was the same bridge that was rebuilt a few years ago. Mullaney said she would check but that it should not be the same bridge.

A comment was raised about the TPO meeting held the previous day, where there was discussion about a Charlemont project for Route 2 on either side of the village that was never on the TIP previously, but that was now at the top of the list. Mullaney answered that Route 2 is an important road, but that it was concerning how the project made it to the top of the list. There are concerns that local projects are not always being done in a timely manner as opposed to MassDOT district-initiated projects. FRCOG Executive Director Linda Dunlavy has discussed this with her counterparts in other areas of the state who are experiencing the same issue. In these cases the process is not working adequately for forwarding local projects.

A comment was made about the bike lanes planned for the village portion of the Charlemont Route 2 project. There are concerns that the lanes are taking up too much roadway space, and that it is not safe to bike along Route 2. It was also questioned why the Route 2 projects on either side of the village do not have bike lanes planned, and that it does not make sense to include bike lanes in the village if there will be no bike lanes leading to it. A comment was made that it's good that bike planning is finally being included in the process, but that it needs to be thought of as a whole network, not segment by segment.

Mullaney then presented an overview of the Unified Planning Work Program (UPWP). This is the FRCOG's transportation planning program. The final draft was just released for public review yesterday, and comments are due by July 24. She then provided an overview of the upcoming tasks for the year, including data collection, bicycle tourism, trail mapping, roadway safety studies, transit service overview, green infrastructure stormwater brochure, passenger rail tourism, EV charging station inventory, and studying pedestrian and bicycle accommodations around the FRTA bus stops.

Mullaney moved on to present the Small Bridge Program. She explained that the Federal definition of a bridge is 20 feet long or greater. These bridges are inspected regularly by MassDOT and are eligible for federal funding. The State defines bridges as 10 feet or longer. Bridges between 10 and 20 feet long are not eligible for federal funding, and the State has just begun inspecting them. Almost half of the bridges in this “small bridge” category are located in the two MassDOT districts that include Franklin County.

A question was asked about how often bridges are inspected by the State, and whether bridge ratings are available. Mullaney answered that most inspections are done every two years unless the rating is especially low, and then it is every year. Mullaney has a list of all bridges with ratings. FRCOG updated its bridge inventory in the last year. Towns should have the updated inventory.

Mullaney went on to say that Towns have been told they are responsible for repairs to small bridges, and now MassDOT is inspecting them and have closed some without a strategy for how to deal with repairs. The Small Bridge Program would be a reimbursement program for Towns similar to Chapter 90. It will make \$50 million available over 5 years (\$10 million per year). Towns would be required to go through an application process, and municipalities are eligible for a maximum amount of \$500,000 per year. MassDOT is waiting for the CIP process to be completed before making funds available. Since there is not yet a way to access the program, it still leaves some communities with difficulties having to fund repairs themselves.

P. Sloan asked if communities can use Chapter 90 money to fund design, which would be the community’s responsibility under the program. Mullaney answered yes but noted that because there is no application available yet, details on the program are not known. It is expected that more information will be available in the next three months.

P. Sloan noted that small bridges could be a topic for a workshop in the fall or winter when more information is available on the Small Bridge Program.

**4. Presentation & Discussion on the 2016 Zoning Reform Act (Senate No. 2311): E. Hove, Strategic Initiatives Director & Senior Regional Planner, MAPC & P. Sloan, Planning Dir. – FRCOG**

J. Lund introduced Eric Hove from the Metropolitan Area Planning Council (MAPC). Hove noted that MAPC is the regional planning agency for the Boston area. A lot of work has gone into zoning reform over the years. This year a comprehensive reform package has passed the Senate, which has not happened before. The legislation has changed dramatically in the last few months. There is not a lot of optimism on how much will get done this legislative session, but there is still a chance.

Hove passed around a handout with the zoning amendments and presented an overview. He stated that zoning reform is needed for economic prosperity and for MA to remain competitive. There is a need to produce housing to keep workers in the state. A lot of the zoning reforms focus on increasing housing production in the right locations. While this did not start out as a housing Bill, but there has been so much press and research on what’s happening with housing, especially in the eastern half of the state, that it is reflected in the Bill. He stated there is a huge demand for multi-family housing. In addition, minimum lot sizes make it difficult to build communities in character with historic development patterns.

Hove noted that there is a broad coalition supporting the bill. Historically homebuilders and realtors have not wanted to engage in the process, however, this version does include some input from the real estate perspective. Hove stated that the reforms will help provide towns with modern tools for zoning. It would provide a statutory framework for Site Plan Review, Inclusionary Zoning, etc., and would make the permitting process more streamlined and transparent.

A question was asked why municipalities were not asked for input? Towns were contacted by the MMA as a heads up, but it seems this planning is from inside I-495. Was there input from western MA? P. Sloan noted that it is important to understand the legislation so that the FRPB can prepare comments if needed. Some provisions are more urban focused but we can comment on rural concerns.

Hove answered that some elements are focused on eastern MA, but that other aspects of the legislation are applicable throughout the state, such as Approval Not Required (ANR) concerns. Also, many elements will be local options that towns can adopt if it makes sense. Hove provided an overview of changes relating to Site Plan Review, Inclusionary Zoning, Impact Fees, and ANR development. Towns could opt to replace ANR with a minor subdivision process which would give communities the ability to review and weigh in on a proposal. A carve out exemption was added for Chapter 61 farm and forest land that would allow up to two ANR lots a year.

A question was asked whether one lot would be considered a minor subdivision? Hove answered yes. A question was asked whether there has been pushback about increased costs to develop? Hove said yes, since ANR is the cheapest way to develop, however, the increased costs with a minor subdivision should be minimal unless the road needs to be upgraded.

A comment was made that population projections show no or slow growth for our region with an aging population. Many towns do not have planners and will need to depend on the RPA to help with making changes to comply with this zoning reform. A concern is that towns with professional planners will be favored for discretionary funding. For towns with no or slow growth, this seems like it will be difficult to implement without much benefit and a loss in discretionary funding.

Hove answered that the original bill had an option that if towns chose to do certain zoning changes, they could receive benefits including preference for funding. This has been minimized with the amendments. These requirements will be left up to the administration.

A comment was made that the lack of water and sewer infrastructure makes high density a challenge. Hove answered that the as-of-right zoning requirement for multi-family housing is a controversial element of the bill. Towns must designate a district where multi-family housing can be zoned as-of-right at a density of at least 8 units an acre for small towns. There is a waiver process if there is no feasible location or regional need. P. Sloan noted that a number of towns feel that these densities can't be met without sewer and water infrastructure, so why should they have to go through a waiver process?

P. Sloan commented that the ANR carve out for Chapter 61 lands could result in the same sprawling pattern over the long term in our region. Hove agreed, noting that the exemption stemmed from concerns raised by farm and forest trade associations. The proposed exemption provides a straight forward process to carve off a lot if a farm or forest land owner needed additional income.

Hove presented proposed changes for Accessory Dwelling Units (ADU). Many towns already permit these in some way. As proposed, ADUs would be allowed as-of-right within existing single family homes on lots as small as 5,000 square feet. Towns could cap the percentage of ADUs in a town, and require the property owner to live in either the ADU or primary house, though enforcement can be difficult. A comment was made that this is not a problem as long as there is water and sewer. Hove said the bill

does not address water and sewer for ADUs, but they must pass Title 5. The big change for ADUs is that they can be permitted by-right within a single family house, but if they will be located in a detached structure, then the Town can require a Special Permit.

A comment was made that an ADU on a 5,000 square foot lot would not be able to pass Title 5, so why even allow it and tease someone into thinking they can do it? There are some pre-existing non-conforming lots that are this small. A comment was made that adding the language “where public water and sewer are available” would address the issue. Hove noted that the bill is not stating that towns have to allow 5,000 square foot lots. A question was asked whether Towns can opt out of allowing ADUs. Hove answered that a waiver process was introduced as an amendment. There was a comment about the 5% cap on ADUs in a town, and that this might get filled quickly and leave property owners unable to create an ADU in twenty years in the future. Hove answered that the 5% is a floor, and that the percent can be higher or a town does not have to have a cap. It was noted that AirBNB had not come up, and that this is a concern. How much of the year would a unit have to be occupied by the owner? Hove stated that some towns do define tenancy for ADUs.

P. Sloan stated that if FRPB members have questions or concerns she would like to hear them. The FRPB Executive Committee may prepare a comment letter identifying concerns if the Bill is proceeding in the House.

**5. Update on FERC Relicensing of the Northfield Mountain Pumped Storage Facility & FERC process for permitting pipelines: T. Miner, Chair - CRSEC/ 2<sup>nd</sup> Vice Chair - FRPB & P. Sloan, Planning Director – FRCOG**

T. Miner provided an update. There are numerous studies that are incomplete that will be critical. An important aspect of the project is the growth in coordination of the stakeholders involved, including non-profits, local and State agencies, and the Connecticut River Watershed Council (CRWC), which has hosted these meetings. At the last meeting there were close to 60 in attendance. There will be a discussion of a closed loop option by the end of the summer, meaning there would be a new lower reservoir created and the Connecticut River would be completely separate from the operation. In addition, the CRWC has hired an environmental consultant to help review the studies.

The Board thanked T. Miner, CRWC, and Kimberly Noake MacPhee of FRCOG, for their work on the relicensing process.

**6. FRPB 2016-17 Annual Elections (see enclosed Slate of Nominations): J. Basford, J. Rockwell & Gisela Walker – FRPB Nominating Committee**

J. Basford moved the slate of nominations.

***G. Walker MOVED to accept the nominations. T. Miner SECONDED. The motion PASSED unanimously.***

P. Sloan welcomed the new at-large members J. Carr and N. L’Etoile.

**7. Other Topics not reasonably anticipated 48 hours in advance of the meeting/ Adjourn: J. Lund, Chair - FRPB**

P. Sloan stated that the CPTC trainings are being scheduled for the Fall and asked FRPB members to take a form and circle what training they are interested in for their ZBA or Planning Board. Sloan is hoping to have better turnout this year since the trainings are important for volunteer boards.

Sloan noted that there will be no summer meetings for July or August, and the next meeting will be on September 22, 2016. The Executive Committee will meet July 11 to work on the zoning reform and the House energy bill. She asked that members let her know of their concerns, or if they would like to see the FRPB's draft recommendations.

C. Olchowski asked for a motion to reflect appreciation and dedication to T. Miner for the FERC relicensing effort.

***J. Lund asked for a motion to adjourn the meeting. T. Hutcheson MOVED to adjourn the meeting. T. Cady SECONDED. The motion PASSED unanimously.***

Meeting adjourned at 8:02 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Joan A. Rockwell". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Joan Rockwell, FRPB Clerk