



Franklin Regional Council of Governments

Franklin Regional Planning Board— *MINUTES*

Date & Time:	Thursday, March 22, 2018 / 6:00 – 8:00 p.m.
Location:	JW Olver Transit Center, 12 Olive Street, Greenfield, MA – First Floor Conference Room
Facilitator:	Jerry Lund, Chair

FRPB MEMBERS

- Jerry Lund**, Chair, Leyden At-Large, FRPB Executive Committee
- Gisela Walker**, Clerk, Charlemont Planning Board, FRPB Executive Committee
- John Baronas**, Deerfield Planning Board
- James Basford**, Orange At-Large, FRPB Executive Committee
- Ted Cady**, Warwick Planning Board, FRPB Executive Committee
- Jan Carr**, Heath At-Large
- Jennifer Gross**, Wendell Select Board
- Wayne Hachey**, New Salem Select Board
- Thomas Hutcheson**, Greenfield At-Large, FRPB Executive Committee
- Jonathan Lagrèze**, Colrain Planning Board
- Nathan L’Etoile**, Northfield At-Large
- Thomas Miner**, 2nd Vice Chair, Shelburne At-Large, FRPB Executive Committee
- Richard Nathhorst**, Leverett Planning Board
- Charles Olchowski**, Greenfield At-Large, FRPB Executive Committee
- Nan Riebschlaeger**, Wendell At-Large
- Don Sluter**, Whately Planning Board
- Cam Stevenson**, Shelburne Planning Board
- Joseph Strzegowski**, Conway Planning Board
- David Travers**, Heath Select Board
- Marguerite Willis**, Charlemont Select Board

FRCOG STAFF

- Peggy Sloan**, Planning & Development Director
- Liz Jacobson-Carroll**, Administrative Services Assistant
- Alyssa Larose**, Senior Land Use & Natural Resources Planner

PRESENTERS/GUESTS

- Tony Walker**, Charlemont resident, guest

1. Introductions	J. Lund, Chair - FRPB & FRPB Members
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J. Lund convened the meeting at 6:00 p.m. A round of introductions followed.

2. Review and Approval of January 25, 2018 FRPB Minutes	J. Lund, Chair - FRPB & FRPB Members
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T. Cady moved to adopt the January 25, 2018 minutes, T. Hutcheson seconded the motion, and the motion passed.

T. Miner suggested the following be included in the second-to-last paragraph of section 5: *Tom informed the Planning Board that, after more than 20 years involvement with oversight of the Northfield Mountain hydroelectric facilities, he is stepping down as chair of the CT River Streambank Erosion Committee and as FRPB's representative participating in the FERC relicensing process.*

T. Cady moved to amend the minutes as indicated, T. Hutcheson seconded the motion, and the motion passed.

3. Presentation on the Municipal Energy Technical Assistance Grant Program	A. Larose, Senior Land Use & Natural Resources Planner - FRCOG
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A. Larose provided background and context to the work done in Franklin County under the Green Communities Program established by the Green Communities Act of 2008. She described the Municipal Energy Technical Assistance grants, which have enabled FRCOG to help towns achieve Green Community status, complete annual reporting, apply for Green Communities competitive grants and procure grant-funded projects. She highlighted projects in several towns (Hawley, Buckland, Warwick and Northfield) involving a solar array, HVAC, LED lighting, motor & drive upgrades, transformer replacements and weatherization of municipal buildings. While the current META Technical Assistance contract expires in May 2018, FRCOG is requesting a contract amendment as well as additional funding from the Department of Energy Resources to continue to serve communities through May 2019. She also noted that FRCOG has applied for an Affordable Access Regional Coordination grant for renewable energy/energy efficiency outreach to low-income residents and local landlords in collaboration with the FC Regional Housing Authority, Community Action, and LifePath.

4. Presentation on Recreational Marijuana Zoning Bylaws & Regulations	P. Sloan, Planning Director – FRCOG
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P. Sloan gave a presentation on land use and zoning issues related to the legalization of recreational marijuana in Massachusetts. She described the different types of allowable businesses and the potential impacts on municipal utilities, infrastructure and services, and public safety. Sloan identified areas for local officials to consider including the siting and permitting of businesses. Licensing of cafes for social consumption has been delayed until 2019. Other topics addressed included zoning bylaw and ballot vote requirements if a town wants to limit the number of establishments; criteria for permitting; host community agreements; and options for impact fees and local sales taxes. Cultivation of recreational marijuana does not qualify for an agricultural exemption under the State Zoning Act. Discussion followed regarding the lack of a test to determine whether or not a driver is under the influence of cannabis; indoor vs. outdoor growing and related energy use; noise and odor impacts; the impact on land conservation and the rural agricultural heritage of the region; square footage of buildings vs. canopy size of the growing area; how water use might affect water district supplies and groundwater tables; concerns regarding this largely all-cash businesses (banks typically unwilling to provide services because marijuana is illegal under Federal law); and moratoriums and special permits. Case law will be important to consider as this new industry becomes established in Massachusetts.

The Cannabis Control Commission will begin reviewing license applications on April 1 and could approve licenses as early as June 1, 2018. P. Sloan encouraged FRPB members whose town may want to explore

options for regulating recreational marijuana to contact her. Sloan is available to provide assistance on public outreach or potential zoning bylaw revisions.

5. Updates on FERC Relicensing of the Northfield Mountain Pumped Storage Facility & 5G Wireless Regulations
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P. Sloan, Planning Director – FRCOG & G. Walker, Clerk, FRPB
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P. Sloan shared Kimberly Noake MacPhee’s update on the FERC re-licensing of the Northfield Mountain Pumped Storage Facility: *FRCOG staff attended a Settlement meeting in Hadley to continue the discussion of flows at Turners Falls Dam and Cabot Station relative to endangered species. Another meeting is scheduled for later this month. FRCOG staff continue to wait for FirstLight to file its Amended Final License Application with FERC, which will “restart” the FERC Integrated Licensing Process time clock. It is not clear when FirstLight will submit its 401 Water Quality Certificate application to MADEP. Stakeholders met earlier this year to discuss a draft River Management Plan that could be part of the 401WQC.*

Noting that 5G wireless technology is beginning to roll out around the country, G. Walker explained that there may be need for local regulation. According to the FCC “The United States is moving swiftly to lead the world in the next generation of wireless connectivity-or 5G. These new networks and technologies will enable faster speeds and low-latency wireless broadband services, cultivating the Internet of Things and innovations not yet imagined.” This issue was recently brought to the attention of the Charlemont Planning Board by a resident concerned about the potential negative impacts of a 5G implementation. These might include impacts to public health from electromagnetic radiation as well as the scenic historic character of towns given the large size and numbers of transmitter units that could be attached to utility poles. The Federal Communications Commission is considering limiting State and local laws that inhibit 5G wireless technology development, such as local moratoria, in order to speed up access to infrastructure and deployment of the “internet of things.”

6. Other Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting/Adjourn/Public Comment

J. Lund, Chair - FRPB

J. Lund moved to adjourn the meeting, J. Strzegowski seconded the motion, and the meeting was adjourned at 7:45 PM.

Documents Distributed / Presentations Viewed:

- Agenda
- FRPB Minutes, January 25 , 2018 – DRAFT
- *Green Communities Technical Assistance* (A. Larose)
- Cannabis Control Commission, Municipal Guidance UPDATED MARCH, 2018
- DRAFT FOR DISCUSSION PURPOSES ONLY (3/22/18)—Article: Adult Use Recreational Marijuana Establishments
- Background on 5G technology (G. Walker) & FCC: Wireless Infrastructure (2018)

The next meeting will be held on Thursday, May 24, 2018. Copies of all documents are available. Please contact Liz Jacobson-Carroll at ljc@frcog.org or 413-774-3167 x101.

Respectfully submitted,

Gisela Walker, Clerk - FRPB