



# Franklin Regional Council of Governments

## Franklin Regional Planning Board— *MINUTES*

Date & Time:	Thursday, May 24, 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; **Bob Armstrong**, Conway Select Board; **James Basford**, Orange At-Large, FRPB Executive Committee; **Jennifer Gross**, Wendell Select Board; **Thomas Hutcheson**, Greenfield At-Large, FRPB Executive Committee; **Tom Johnson**, Shelburne Planning Board, Alternate; **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; **Patricia Perry**, Greenfield At-Large; **Micki Paddock**, Shutesbury At-Large; **Mike Shaffer**, Erving Planning Board; **Joseph Strzegowski**, Conway Planning Board; **Chuck Washer**, Shelburne Select Board

**FRCOG STAFF:** **Peggy Sloan**, Planning & Development Director; **Liz Jacobson-Carroll**, Administrative Services Assistant; **Jessica Atwood**, Economic Development Program Manager; and **Mary Chicoine**, Senior Land Use & Natural Resources Planner.

**PRESENTERS/GUESTS:** **Ritchie Davis**, *The Recorder*

<b>1. Introductions</b>	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.

<b>2. Review and Approval of March 22 , 2018 FRPB Minutes</b>	J. Lund, Chair – FRPB & FRPB Members
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**J. Strzegowski** moved to adopt the **March 22, 2018 meeting minutes**. **T. Hutcheson** seconded the motion, and the motion passed with 2 abstentions (**M. Shaffer**, **C. Washer**).

<b>3. Presentations on a Toolkit for Addressing Vacant and Abandoned Buildings</b>	M. Chicoine, Senior Land Use & Natural Resources Planner - FRCOG
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M. Chicoine explained that the FRCOG’s Planning and Public Health departments came together this winter to create a toolkit for Franklin County communities, particularly smaller towns, to help towns to avoid blight and more expensive problems in the future. The presentation covered the inventory and evaluation of vacant and abandoned buildings, relevant regulations, forming a local task force, means to resolving code violations, working with the Attorney General’s Abandoned Housing Initiative, and sources of funding for rehabilitation. The Vacant and Abandoned Buildings: Toolkit for Municipal Officials focuses on residential buildings.

M. Chicoine suggested that towns interested in forming a vacant and abandoned building task force or committee might begin by establishing a relationship with the AG's office, a willing partner in the process. One of the first steps in addressing vacant and abandoned buildings is for a town's task force to use the Toolkit as guidance to begin developing policies and a written plan which reflect the goals of Town boards and residents. If townspeople know that a vacant and abandoned housing initiative originated from municipal officials and residents they are more likely to support the work of the committee, Chicoine noted.

Vacant and abandoned buildings are potential sites for hazards such as fire, rodent infestation, and environmental health threats such as chemical leaks. There can also be issues of vandalism and squatting. Towns can suffer increased costs of municipal services (police, fire, etc.) and decreased property values and tax revenues. Officials should become familiar with relevant regulations including the State sanitary code, building code, and fire code as well as tax laws and local bylaws, a summary of which is provided in the Toolkit. Addressing the impacts of abandoned buildings involve many aspects of a town's government. Those involved in enforcing different regulations include Boards of Health (BOH), Select Boards, Building Commissioners, Police and Fire Departments, Tax Collectors, Assessors and Town Counsel, and volunteers.

M. Chicoine recommended that once a committee or task force is formed members should conduct an inventory and identify priority sites. The Toolkit contains detailed information about how to conduct an inventory, including a suggested list of data points to collect on each property which can be obtained through "windshield inspections" from public ways or through visits by the Board of Health, Assessor, or Building Inspector. M. Chicoine provided a sample rating scale but suggested that towns can add criteria of their own in order to prioritize the properties most in need of attention.

M. Chicoine stressed that Committees should first seek voluntary compliance from property owners and that simply drawing attention to a vacant building may encourage action. Informally meeting with owners may help too since they may be receptive to advice to avoid a formal process. Often voluntary compliance through an informal process can take several months or more, but is still preferable to a town taking a formal process. As long as a property owner is showing they are making a good faith effort to remedy issues with their property, a town should be willing to work with the property owner. It is important to establish formal procedures, however, so that if the matter is challenged (or referred to Housing Court or the AG), the Committee has adequate documentation of its policies and procedures, and the steps it has taken. M Chicoine reviewed possible steps to address the problem should informal, voluntary processes not work:

1. If the property owner does not bring the building into compliance voluntarily, the Committee may ask the BOH to turn the matter over to the AG, and the Court can appoint a receiver.
2. Alternatively, the Committee may ask the BOH to pursue compliance through the Housing Court.
3. If back taxes are owed, the Town may take the house for back taxes, then choose to auction, demolish, or rehabilitate it. The cost of demolition and clean up would result in a lien on the property. However towns should approach taking a property with great caution as there may be contamination issues which should be addressed before the property is taken.
4. A foreclosed property held by a bank but not maintained may be condemned, with the Court appointing a receiver.

Non-voluntary measures require significant work on the part of the BOH, the local Health Agent, Select Board and Town Counsel.

FRPB members articulated additional relevant issues. In response to a question from J. Basford, M. Chicoine indicated that seeking help from the regional housing authority for rehabilitation grants and talking with the

regional health agent may be helpful when working with owners trying to come into compliance. J. Lund expressed concern for the health and safety of someone living in an unsafe home. What can town officials do if the owner isn't capable of applying for grants or rehabilitating the building? P. Sloan noted that regional agencies such as Life Path and the FCRHRA may be able to assist owners with housing-related concerns. Alternatively, the Town/Committee might decide to focus just on properties that are vacant, not those with residents living in them. In response to a question from T. Miner, M. Chicoine suggested that a committee could include in the rating scale the location of abandoned buildings in order to prioritize those in the center of town or on a scenic byway. In response to concerns expressed by R. Nathorst, M. Chicoine indicated that committees are unlikely to approach owners of buildings simply not in use that have no serious violations and which are up-to-date with tax payments. The focus here is on long-abandoned properties that are clearly in bad shape and may endanger the public and/or which have significant back taxes.

FRPB members noted additional tools available to town officials and committee members. J Gross noted that the Registry of Deeds and local real estate agents may have a list of bank-owned properties. These properties may be vacant for extended periods of time between foreclosure and sale. J. Strzegowski suggested that towns that have taken environmentally-compromised properties for back taxes might want to consider applying to the FRCOG for Brownfields funding, as the cost of cleaning up hazardous materials can exceed the value of the property.

M. Chicoine noted that following a FRCOG workshop on the topic in March, a few towns have begun to put programs in place. Staff members have been using DLTA funding to help those that have requested assistance, and have sent the Toolkit out to a few others. J. Lund's expression of thanks was followed by a round of applause.

<p><b>4. Presentation on Comprehensive Economic Development Strategy Annual Report</b></p>	<p>J. Atwood, Economic Development Program Manager - FRCOG</p>
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J. Atwood explained that the CEDS program is our regional planning program, which covers 29 towns -- the 26 towns of Franklin County plus Amherst, Athol and Phillipston. This Annual Report is the 3<sup>rd</sup> update to the 2015 CEDS Plan with current demographic and economic conditions. It also provides the latest information on key economic development programs and projects and maintains the region's eligibility for select federal Economic Development Administration (EDA) funding.

J. Atwood reviewed changes to the report since the previous annual update: a broadband status map has been added; population and employment statistics, as well as income and wage data have been updated; and trends in private-sector industry clusters are included. Upon hearing that private sector industry data shows an increase in the percentage of people employed in healthcare and social assistance sectors, and a decline in the manufacturing sector, T. Hutcheson asked if there is a way to discern whether gains in one sector come at the expense of another. Is this a zero-sum situation or do gains represent growth in jobs for the county? In other words, is the shape of the economy changing fundamentally, or is it just that some sectors are growing? In response to a question from C. Olchowski, J. Atwood indicated that CEDS does not include data regarding underemployment, workers with multiple jobs, or the availability of employee benefits. J. Atwood said that she will research employment sector trends.

J. Atwood explained that CEDS also considers the ways in which related industries are clustered. For example, goods and services produced *and* consumed locally, are considered part of local clusters. Whereas goods and services that are procured predominantly outside the region are considered traded clusters. According to an online data tool, Franklin County's top five traded clusters in terms of employment are: distribution and electronic commerce; plastics; business services; recreational and small electric goods; and hospitality and tourism. Franklin County's top traded clusters in terms of the percent of employment in comparison to other counties across the U.S. include: apparel, marketing, paper & packaging, plastics, recreational goods, and upstream metals.

In response to T. Hutcheson's question about the relationship between trading and resilience, J. Atwood referenced President Obama's efforts to encourage regions to use their internal competitive advantages in developing their economic resiliency. J. Lund noted that promoting resilience and encouraging clusters can "pull in different directions," but that resilience has been an important consideration since the 2008 recession. Enabling our region to get through stressful times better than it has in the past should guide our economic development efforts.

Discussion included the challenge of identifying important contributors to these clusters when they are not major employers, but small companies, such as precision manufacturing machine shops with 20 employees, or an entrepreneurial high-tech firm with even fewer. J. Atwood indicated that there is great potential regionally for growing industry from academic research. P. Sloan indicated that the region has been successful in focusing on locally-grown businesses because they often remain in Franklin County even through difficult economic hard times.

J. Atwood then described another addition to the CEDS Report -- the new Project Resources section, which lists state and federal programs available to support development projects, such as tax incentive programs, and the Opportunity Zone program. The latter is a new Federal program for economically distressed census tracts. If the 11 Franklin County census tracts proposed by Governor Baker are approved by the Federal government, private investors will be able to defer taxable income from capital gains by investing in an Opportunity Fund. These funds then invest in local businesses or development projects in certified census tracts. J. Lund noted that the program will direct investment from private sources but there will be no funding for municipal projects such as sewer systems.

The new Economic Resilience chapter addresses the ability of a region to anticipate, withstand, and bounce back from economic shocks or disruptions. It describes current activities, and articulates the roles of organizations, including FRCOG, in emergency preparedness and recovery. The chapter's goals seek to better connect economic resilience and emergency preparedness efforts. FRCOG has had an economic resilience program since 2015 and the Regional Preparedness Program staff recently presented a workshop to Franklin County Chamber of Commerce businesses.

Updates to the Strategies & Action Items chapter include sections on the new Pioneer Valley Labor Market Blueprint, the Middle Skills Manufacturing Initiative, and the FCCDC Loan Program, among others. The latter has facilitated the creation of 51 jobs in a variety of types of businesses over the past year. The chapter includes updates such as the Western MA Developers Conference to be held on June 12<sup>th</sup>, the redevelopment of local facilities, including Brownfields sites, and recent investments in co-working spaces.

J. Atwood requested comments by June 11<sup>th</sup> with the Final Draft being reviewed by the CEDS Committee on June 13<sup>th</sup> and the FRCOG Executive Committee/EDD Governing Board on June 14, 2018. The FRPB will vote to adopt the CEDS Annual Report at their June 28<sup>th</sup> meeting and then it will be submitted to the EDA Region I office before the June 30<sup>th</sup> deadline. J. Lund’s expression of thanks was followed by a round of applause.

<b>5. Updates on FERC Relicensing of the Northfield Mountain Pumped Storage Facility &amp; Recreational Marijuana Zoning Bylaws</b>	P. Sloan, Planning Director - FRCOG
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In April, K. MacPhee and P. Sloan attended meetings regarding rare and endangered species, fish passages, and flows needed to support species. Flows will be the focus of the next several meetings as discussions between the company and the resource agencies continue. Separately, FRCOG staff have been reviewing First Light’s recreation studies and comparing them with towns’ recreation plans to identify needs and gaps. K. MacPhee will talk with town officials about their needs in order to identify important projects to be addressed by the relicensing process. Stakeholders have prepared a significant inventory of existing recreational facilities and can submit requests for additions and improvements. T. Miner noted that FERC has extended First Light’s Turners Falls license for one year because they are not ready to make a decision on re-licensing.

FERC has issued a request for public input to improve the process for reviewing new gas pipeline proposals. FRCOG staff and the FRPB Executive Committee will Draft suggested improvement and will send those recommendations to the FRCOG Executive Committee for their consideration.

Erving and Whatley passed their recreational marijuana zoning bylaws; Conway and Buckland are working on theirs. P. Sloan is hoping to share the responses from the Attorney General’s Office with the FRPB as they are issued. M. Shaffer thanked P. Sloan and Donna MacNicol for helping Erving develop zoning bylaw changes, which passed unanimously at Town Meeting. J. Lund noted that California’s “emerald area” is experiencing a great shortage of labor for the time-consuming task of trimming the cultivated marijuana. It is difficulty to attract workers with the low wages that are offered and questioned how many good paying jobs will be create by this new industry sector. J. Basford expressed hope that the growth of this industry is tracked via the CEDS program and R. Nathorst indicated that towns should also be able to do so through the collection of taxes. P. Sloan noted that a workshop on the final MA regulations on recreational marijuana will to take place at the Olver Center on June 7<sup>th</sup> with a presentation by the Cannabis Control Commission.

FRCOG is planning a workshop on growing hemp for next Fall in collaboration with CISA as there seems to be a fair amount of local interest. Growing hemp may provide another avenue for farmers to diversity their crops. R. Nathorst noted that while strictly regulated, it is legal Federally, to grow hemp, and that MA growers will be able to ship it out of state. Further, the fiber is easier to process than marijuana and it falls under agriculture.

<b>6. Other Topics not reasonably anticipated 48 hours in advance of the meeting/Adjourn/Public Comment</b>	
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**T. Miner moved to adjourn the meeting, C. Olchowski seconded the motion, and the meeting was adjourned at 7:45 PM.**

Documents Distributed / Presentations Viewed:

- Agenda

- FRPB Minutes, March 22, 2018 – DRAFT
- *Abandoned Building FRPB presentation May 2018*
- Vacant and Abandoned Buildings: Toolkit for Town Officials
- *Draft 2018 Greater Franklin County CEDS Annual Report*
- MA Department of Agricultural Resources
  - HEMP FAQs
  - Commercial Industrial Hemp Grower License Application

The next meeting will be held on June 28, 2018. Copies of all documents are available. Please contact Liz Jacobson-Carroll at [ljc@frcog.org](mailto:ljc@frcog.org) or 413-774-3167 x101.

Respectfully submitted,

Gisela Walker, Clerk - FRPB