



Franklin Regional Council of Governments

Franklin Regional Planning Board— *MINUTES*

Date & Time:	Thursday, January 24, 2019 / 6:00 – 8:00 p.m.
Location:	The Hampton Inn, 184 Shelburne Road, Greenfield, MA – First Floor Meeting Room
Facilitator:	Jerry Lund, Chair

FRPB MEMBERS

- Jerry Lund**, Chair, Leyden, At-Large, FRPB Executive Committee
- Gisela Walker**, Clerk, Charlemont Planning Board, FRCOG Executive Committee
- John Baronas**, Deerfield Planning Board
- Julia Blyth**, Northfield Select Board, FRPB Executive Committee, FRCOG Council
- Ted Cady**, Warwick Planning Board, FRPB Executive Committee
- John Gould**, Buckland Planning Board
- Jennifer Gross**, Wendell Select Board
- Thomas Hutcheson**, 1st Vice Chair, Greenfield At-Large, FRPB Executive Committee
- Jeff Lacy**, Shutesbury Planning Board
- Kenneth Miller**, Ashfield Planning Board
- Charles Olchowski**, Greenfield At-Large, FRPB Executive Committee
- Joseph Strzegowski**, Conway Planning Board
- John Ward**, Gill Select Board, FRCOG Council alternate

FRCOG STAFF

- Peggy Sloan**, Planning & Development Director; **Liz Jacobson-Carroll**, Administrative Services Assistant;
- Maureen Mullaney**, Transportation & GIS Program Manager II; **Jessica Atwood**, Economic Development Program Manager;

PRESENTERS/GUESTS

- Anthony Walker**, Charlemont resident

1. Introductions	J. Lund, Chair – FRPB & FRPB Members
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J. Lund convened the meeting at 6:06 p.m. A round of introductions followed.

2. Review and Approval of November 1, 2018 FRPB Minutes	J. Lund, Chair – FRPB & FRPB Members
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G. Walker moved to adopt the 11/1/18 minutes, T. Cady seconded the motion, and the motion passed with 2 abstentions. (John Baronas, John Ward)

3. Presentation on Transportation Planning – Regional Transportation Plan, MassDOT State Bicycle Plan & Rail Update	M. Mullaney, Transportation & GIS Program Manager II -- FRCOG
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As a recipient of federal funding, we are required to submit a Regional Transportation Plan (RTP) to the Federal Highway Administration every four years, M. Mullaney explained. The RTP includes our review of all modes of transportation and an assessment of the transportation network. It iterates what is and is not working, and is grounded in financial expectation. All of the physical infrastructure projects we undertake have been previously articulated in a RTP. While our transportation goals are long-term and appear on multiple RTPs, those written in the years following 9/11/01 included increased emphasis on security, and those of late have prioritized addressing the effects of climate change.

M. Mullaney continued to explain that each plan includes a list of 25 high-priority projects. Of those listed on the **2015 RTP**, 2 are complete – Amtrak now accommodates bicycles, and Greenfield has a parking garage near the Olver Transit Center -- and a dozen are underway or in a preliminary phase.

Projects under design or in progress include: safety and traffic-flow improvements in Erving/Farley and Greenfield; bridge repair/replacement in Montague and Northfield; repair of important thoroughfares in Buckland and Sunderland; Complete Streets work in Colrain; Route 5/10 (and sidewalk) improvements in Deerfield and Whately; accommodations for pedestrians between Mohawk Trail Regional School and Shelburne Falls; expanding passenger rail; and land protection along Scenic Byways. Discussion topics included:

- the complicated nature of the Haydenville Road project, in Whately and Williamsburg, due to its spanning two MassDOT Districts and two Regional Planning Agencies
- The Town of Northfield's influence on the design of the Schell Bridge, due to its interest in the final appearance
- the inability of Buckland to commit to year-round clearing of a sidewalk along Rt. 112 from MTRS to Shelburne Falls, therefore precluding its construction in favor of an expanded shoulder to be plowed by MassDot
- a pilot project funded by MassDOT and beginning in June, to increase in round trips (from 1 to 3 daily, and 0 to 1 on weekends) of the Vermonter: to maintain funding, the ridership must double in 2.5 years, so various agencies, organizations, towns and cities have begun to collaborate on marketing
- the conclusion of the Scenic Byway program with the purchase of two more large parcels, bringing the total preserved to over 2000 acres.

Projects in preliminary stages include: bike and pedestrian improvements on Leyden Road and Turners Falls Road; plans for east-west passenger rail from Greenfield to Boston; expanding fixed bus service, and night/weekend bus service; building more park-and-ride lots; Complete Streets work in Orange; constructing a bikeway from Orange to Athol, and a bike path from Erving to Wendell; and installing additional FC Bikeway Trailblazing signs. Discussion topics included:

- the need for design funding for the Leyden Road project, which M. Mullaney will pursue
- the Turners Falls Road project, for which Greenfield will pursue funding, and which will involve significant blasting
- the high-priority status of east-west passenger rail, and Comerford's interest in a North Adams-Greenfield-Boston route
- the priority given to freight over passenger rail by the federal government
- refurbishing MBTA Red Line cars for use in western MA
- self-powered cars of the 1960's, and the solar powered cars currently in use in Vermont

- the prevalence, in numerous public outreach sessions, of requests for expanded transit service; FRCOG and FRTA collaboration to secure funding to meet this demand
- FRCOG and FRTA exploring ways to connect routes and share a payment platform with PVRTA
- addressing pedestrian access to fresh food through the Complete Streets project in Orange
- the difficulty of finding design funding for bikeways and bike paths
- the blind curve on Leyden Road preventing 480 Greenfield residents from walking downtown

Turning attention to the **2019 RTP**, M. Mullaney summarized recent projects in the Roadways & Bridges category. She highlighted a recent FRCOG GIS pilot project – using complex data provided by UMass -- to map high risk culverts in the Deerfield River watershed that was so innovative and successful that it may be replicated in other parts of Franklin County and the Commonwealth. She also noted that a recent assessment turned up little in the way of transport of hazardous materials; mostly, what passes through the region is milk and cheese. Attendees asked for the following to be considered:

- a bridge on North Poland Road in Conway which is currently on the state’s list (for 2023) with no funding
- repair of the section of Route 116 in Conway from the Deerfield border to Route 5/10 (which is contiguous to the recently completed Deerfield section)
- repair of the surface of the bridge between exits 26 and 27 on Route 91
- Towns’ inability to commit to paying for year-round clearing of sidewalks on state roadways, thus precluding their receipt of funding to create those sidewalks. (P. Sloan suggested seeking funding to pay local highway departments to do the clearing.)

In lieu of summarizing recent projects in the Biking & Walking category, M. Mullaney noted that the FRCOG works hard at expanding our bicycle and pedestrian network. Following her description of recent projects in the Transit & Alternatives category, J. Ward spoke of the need to upgrade the charging stations for electric vehicles from Level 2 to the much faster Level 3 stations. J. Lund noted that the latter are significantly more expensive, but that money from the Volkswagen settlement may become available for this purpose. T. Hutcheson said that he recently received email from Eversource asking if Conway is looking for charging stations.

M. Mullaney said that the recently launched Bike Friendly Business Program (Recreation & Tourism category), in which businesses offer amenities in exchange for mention in promotional materials, was enthusiastically received. T. Walker asked for attention to be given to eliminating the gap in the Mohawk-Mohican Trail near Route 2, where private landowners have not allowed access. J. Gross emphasized the danger presented by the lack of parking near the popular Farley Ledges on Route 2 in Wendell.

Currently wrapping up the public outreach phase, which has featured numerous public meetings and a web-based survey, FRCOG will release a full draft RTP for public review in April, and is aiming for the Transportation Planning Organization’s endorsement in May or June. In conclusion, M. Mullaney encouraged FRPB members take the survey on the FRCOG website, and to contact herself or Megan Rhodes with questions or suggestions regarding the RTP.

4. Presentation on the 2020 Census	J. Atwood, Economic Development Program Manager
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The federal census will take place April 1, 2020. Constitutionally mandated to be conducted every 10 years, it aims to account for every resident where they live and sleep most frequently. Federal law ensures that responses are kept confidential for 72 years, are used only to produce statistics, and are not used by other governmental agencies.

To emphasize the importance of having every resident of Franklin County enumerated, J. Atwood pointed out the **impact** of census figures on the amount of federal and state aid received. The federal government uses these statistics when disseminating money for housing, food, wastewater systems, and USDA programs, for example, and the state government uses them to allocate funding for our local roads and bridges, public schools, public libraries, cultural councils, open space and recreation programs, volunteer fire assistance programs and more. She pointed out that in FY2017, State Aid accounted for 17% of total municipal revenues in Franklin County, and 20% throughout the Commonwealth. Census data is used also to define legislative districts for the state and the country, she explained. Following the 2000 Census, Franklin County towns' representation in the Senate declined from four districts to three, and in the House from three districts to two.

J. Atwood spoke of recent past and proposed changes. Beginning in 2010, the Census Bureau stopped sending either the short or long form to households in favor of a sending a modified short form decennially, and the new, detailed American Community Survey (ACS) annually. Reports on the ACS are based on 5 years' worth of data, and are available for individual towns. Beginning in 2020, data will be collected on-line, not by mail; in-person follow up and special programs will target groups with special living situations such as the homeless, military personnel, residents of group facilities, and students at residential schools. Further, new questions have been proposed regarding the relationships of residents, homeownership status, and citizenship status. The Census Bureau (among other entities) has objected to the proposed rapid rollout, preferring to implement its usual testing protocol over several years.

This spring, FRCOG is facilitating the formation of a Complete Count Committee to include FRCOG staff, local government officials, members of community-based organizations, and other stakeholders. The committee will plan and implement a 2020 Census awareness campaign, develop strategies to help people respond on-line, and coordinate with other committees, agencies and offices with shared goals. Typically hard-to-count groups include those with limited English proficiency, low-income rental households, people of color, single female-headed households, and mobile young adults. In response to a question, J. Atwood indicated that the Census Bureau has addressed local zip code issues, having mapped town borders and worked with Town Clerks, and then noted that the government no longer accepts appeals by individual towns. Franklin County is not considered a hard-to-count area, as its 2010 response rates ranged from over 80% - 92%.

J. Atwood concluded by welcoming questions or comments via 774-3167 x123 or jatwood@frcog.org.

5. Updates on the FERC Relicensing of the Northfield Mountain Pumped Storage Facility & Recreational Marijuana Bylaws	P. Sloan, Planning Director -- FRCOG
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P. Sloan reported on the surprising content and unusual timing of a FirstLight request to the FERC. The request to transfer its license to two newly formed LLCs was made during the holiday season, and was

accompanied by a request for expedited consideration in 30 days. FRCOG staff and Executive Committee promptly sent a letter to FERC which pointed out the inadequacy of a 30-day response period, especially given that the federal government (including the Fisheries and Wildlife Service) was shut down, and requested a 90-day review period commencing upon it's re-opening. FirstLight's request involved breaking apart a carefully crafted process integrating the licensing of 5 facilities along the CT River. Believing this not in the interest of the public, FRCOG is drafting a letter of protest, P. Sloan reported. She then encouraged towns to write their own, and to include a request for intervenor status. Gill has already done so, she said.

The Executive Committee wants a formal meeting between the power company and area stakeholders to enable the latter to learn about potential impacts on projects undertaken by the licensees, P. Sloan indicated. The current process ensures that FirstLight will provide mitigation and recreational facilities in exchange for using the river to generate profits. Will the new LLCs do the same? Further, will new organizations with limited assets be less liable for environmental impacts? All of the studies done pertaining to wildlife have been predicated on the integrated functioning of the 5-sites, she noted. P. Sloan then drew comparisons between what FirstLight is doing now and what power companies did some decades ago when they spun off nuclear power plants to companies with scant assets. Will these new LLCs be able to claim an inability afford decommissioning? Does limited liability mean limited responsibility?

P. Sloan explained that Northfield Mountain is a very profitable hydroelectric facility for FirstLight, just as the natural gas pipeline would have been for Kinder Morgan. Local challenges to KM required the hiring of Washington DC lawyers, she said, indicating that the same may be required in the current scenario. She also noted that FirstLight pays significant municipal taxes, now relied upon by several (?) towns.

Discussion included:

- the increased difficulty of coordinating an emergency response between 5 non-integrated sites
- FirstLight's recent cessation of meetings of [what group?], with no rationale offered
- The potential clout (with FERC) of our congressional delegation, and potential help from AG Maura Healey
- A possible plea to FERC to make good on their stated desire to improve their licensing processes, and FRCOG's request for intervenor status

Switching topics, P. Sloan reported that applications for licenses for local recreational marijuana cultivation facilities continue to be received, and that towns continue to figure out if and how to revise their zoning bylaws: Conway recently approved an amendment; Buckland has scheduled a public hearing on a draft amendment; and Colrain is working on a draft, for example. She offered FRCOG staff assistance to other towns, noting the availability of templates from their work with 7 or 8 towns thus far. J. Lacy noted that Shutesbury may include a waiver option in hopes of avoiding expensive site planning when appropriate. P. Sloan said that the Cannabis Control Commission may encourage energy efficiency by requiring an energy plan.

Discussion topics included:

- special permits for major home operations and for small businesses in rural residential districts

- the challenges of requiring organic practices, and the potential aligning of state standards with future federal standards
- requiring a review of the licensee’s organizational structure at a public hearing
- the impact of hemp cultivation on marijuana crop via cross pollination
- responsibility for enforcement of laws against “smoke and float” private parties, where quantities of marijuana are offered “by donation.”

6. Other Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting/Adjourn/Public Comment	J. Lund, Chair - FRPB
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P. Sloan reported that short-term rentals will soon be subject to state – and possibly local -- room occupancy excise taxes, and must register with the MA Department of Revenue. The state tax will be required, but the local tax is as the discretion of the municipality. Those that have not enacted one can do so at town meeting, then rely on the state to collect the revenue and subsequently return it to the town. She encouraged attendees to identify the businesses within their borders, noting that aside from their revenue-generating potential, these establishments warrant consideration on matters of health and safety. Fire departments should know that there could be six additional people staying at a house over a weekend, for example. Further, taxes, regulation and inspection will level playing field with traditional bed and breakfast inns which have been at a disadvantage since the rise of Airbnb. She noted that the FRCOG will be offering a workshop on taxation, which could total 17%, and that towns may want to tax at least enough to cover the cost of inspections (both health and building code.)

T. Hutcheson moved to adjourn the meeting, T. Cady seconded the motion, and the meeting was adjourned at 8 PM.

Documents Distributed / Presentations Viewed:

- Agenda
- FRPB Minutes, November 1, 2018 – DRAFT
- FirstLight Reorganization Structure
- Short-term rentals frequently asked questions (Mass.gov)

The next meeting will be held on March 28, 2019. 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