Whately Planning Board

Minutes of Remote Meeting, via Zoom

June14, 2023

Present: Members Judy Markland, Sara Cooper, Tom Litwin, Brant Cheikes

Members Absent: Don Sluter

Virtual Guests:

Adelia Bardwell

Keith Bardwell

Donna Wiley

Chad Adams

Megan Rhodes

Catherine Wolkowicz

Alex Ross

Call to Order: Delayed due to internet problems, this took place at 5:17 pm.

The meeting was recorded.

Joint Public Hearing with Tree Warden regarding removal of trees

Brant screen-shared the legal notice, which contained the list of twenty-six trees proposed for removal. Tree Warden Keith Bardwell noted that all trees described as measured in “feet” should have been described as measured in “inches”. He commented on some of the reasons for removal:

111 North St. − landowner requested removal, to reconfigure property.

Chestnut Plain Rd.− two large maples, so bad he can no longer trim them.

198 Elm − dead.

All listed for Haydenville Rd. and Webber Rd. − removal requested by Eversource.

Asked whether Whately can ask Eversource to plant trees, Keith Bardwell said he would find out. He won’t plant trees near new power lines in any case because Eversource will eventually cut them. He said some of the trees Eversource requested to be removed are dying, but some are not. Once they are outside the town layout, the town has no jurisdiction, he said. Eversource will take many more trees in July, he noted, but from private property so the town is not involved. He added that many of these will not be noticeable by their absence. He also observed that people in town don’t even want the free trees available for their properties because of the required maintenance, and sometimes because they will block their solar panels. He noted that if the trees are not cared for when young, they will die, and said that his limited budget has barely enough money to cut down trees, let alone maintain them, and he relies on owners for help.

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Sara noted that property owners were allowed to opt out of having their trees removed by Eversource, but that the owners had to make a real effort to do that. She added that the representative of Northern Tree that she worked with was very responsive. Judy moved to accept the list of trees to be removed, and Sara seconded. Judy, Sara, Tom, and Brant each voted Yes, and the list was accepted unanimously. The hearing was closed at 5:35 pm.

Discussion: Draft 2023 Housing Production Plan Update

with Megan Rhodes of the Franklin Regional Council of Governments (FRCOG) and

Catherine Wolkowicz of the Housing Committee

The board was told that this 111-page plan will signal to the state that Whately is on board with having more affordable housing, and will take advantage of state money granted to help prepare for a possible increase in people needing housing in Whately, whether they are longtime residents or new ones.

It was noted that such a state-approved plan will protect Whately from “Chapter 40B developers”, because it would allow the town to steer the kind and location of affordable housing that is built. Right now, Whately can’t apply any of its zoning bylaws to proposals to build affordable housing submitted under the provisions of MGL 40B except for environmental, health and safety concerns because officially, less than 10% of Whately’s housing is currently subsidized affordable housing. To gain more control of what is built, two things are required:

1. A state-approved housing production plan

2. Achievement of a defined level of progress. In Whately’s case that would be production of three

housing units per year, but even before that happens the town would still have more leverage with adoption of the state-approved plan.

Additional points included:

− Even though Whately’s population has been declining, households are smaller now so more housing

is still needed. There is not enough housing for Whately’s current population.

− 30% of the population is paying too much (over a third of their income) for housing.

− 30% of the population is aging, and hopes to stay in town but may need more accessible housing.

− Some of the most expensive homes in Western Massachusetts are in Whately, and more *mid-level*

housing is needed.

− A state-approved Housing Production Plan would also serve as the housing portion of a separate,

comprehensive plan for the town’s future, for which Whately has received an additional state grant.

Megan Rhodes screen-shared Table 27: Whately Housing Strategy Options. She said the report offers strategies for dealing with increased demands for housing – a “menu of recommendations”. The town is not required to implement any of them, and is free to tweak them. Among those included:

− Allow all types of Accessory Dwelling Units (ADU) of up to 900 sq ft. to be built by right.

− No huge apartment buildings in the town center; due to limited town sewer and water.

− Increase housing near public transit, along Rtes 5 and 10. Compatible with commercial zone?

− Before increasing density, make sure it will not adversely affect natural resources, especially water.

− Increase flexibility for two-family homes.

3.

− Mixed use residential district near Rtes 5 & 10, waiving dimensional requirements, for affordable or

senior-only housing. Review how to improve the cluster zoning bylaw in connection with this.

− Collaborate with regional partners like Habitat for Humanity and World Development, Inc.

− How to reduce costs for the current population through energy efficiency improvements.

Tom mentioned the Master Plan done between 2000 and 2010 – Christian Lane to Rte 91 was to have a mixed use layout, with apartments above stores and including the fire and police departments. The goal was to accomplish some of the same goals mentioned tonight and also to provide an economic incentive. Judy stated that the Selectboard never adopted the 2010 plan, for reasons unknown to most.

Brant noted that: the plan will go to the Planning Board, then Select Board, then to the state for approval. The Board won’t have to *endorse* any of the recommendations, or the plan, but might move to *accept* the plan. He noted that he now accepts the plan, but that after more thought he might endorse it following discussion about what should be added or deleted. What kind of motion would be needed from the Planning Board in order to get the plan approved by the state? Ms. Rhodes noted that one town *adopted* a plan. She stated that the state accepts a town’s plan by stamping it “Approved”, and that none have come back to her with comments because this plan contains everything the state requires. State review takes a month or so, she said.

Ms. Rhodes read aloud section 3.1 Housing Goals, noting that the entire project is geared toward this: “To encourage a mix of housing densities, ownership patterns, prices and building types to match the needs of residents and businesses now and in the future, and to increase the amount of affordable housing in Whately in a way that is sustainable for the town’s natural resources.” She noted that achieving this can take years for small towns with little staffing.

Other points included:

− Doing some things in zoning might help – think long-term collaboration.

− We need a *regional* conversation so that, before a town meeting vote, everyone knows why these

measures are necessary.

− Choose some big Table 27 items (or even one) to study and prioritize for action.

− Details of high-priority items can be figured out over a couple of years.

Judy mentioned the town has more CPA funds and Housing Trust funds available for affordable housing than indicated in the draft, and will send the Housing Production Committee some information on the CPA funds. She suggested thinking about priority items before the next meeting with the Housing Production Committee. The Board agreed to meet on July 12 (before Brant travels) instead of meeting on July 26. It was agreed that before July 12, Board members will think about how the report would need to be changed in order for them to be comfortable accepting the report on July 12. Members will then communicate with Megan Rhodes and Catherine Wolkowicz to let them know of anything that would stop them from voting to adopt. It was agreed that a focus on Table 27 items would be fine, and that members should submit ideas about what to added or deleted.

Judy added that it is a really impressive report, and it was agreed to post it on the calendar with the agenda and other documents relevant to the July 12 meeting. The topic was then closed.

4.

Discussion of Aquifer Protection Overlay Boundaries was postponed until the next meeting, along with the review of minutes.

Adjournment

At 6:45 pm Judy moved to adjourn and Sara seconded. Don, Brant, Sara, Judy, and Tom each voted

Yes and the motion carried unanimously.

*Documents Reviewed (kept in the Planning Board files)*

1. The 111-page Town of Whatley 2023 Housing Production Plan

Mary McCarthy

Secretary, Planning Board

Town of Whately, MA