

**Board:** Select Board / Water Commissioner's Meeting  
**Date:** Monday, November 29, 2021  
**Location:** Senior & Community Center, 1 Care Drive, Erving, MA 01344

**Select Board Present:** Jacob Smith, William Bembury, Scott Bastarache  
**Board of Assessors:** Jeffrey Rollins, Mark Burnett  
**Also, Present:** Bryan Smith, Mariah Kurtz, Robert Holst, Jacquelyn Boyden  
**Press:** Kathleen Nolan, Montague Reporter; Otis Wheeler, BNCTV

At 6:31 PM **Chairman Smith** called the meeting to order.

**Chairman Smith** announced the meeting is being recorded and live streamed.

#### **Discussion Regarding Town Response to COVID-19**

Bryan Smith, Town Administrator, explained that positive case counts for COVID-19 have increased over the last week. Bryan explained that the Massachusetts Department of Public Health vaccination bus clinic has been scheduled to operate in Town on December 14, 2021, and will be located at Fire Station #2.

#### **Discussion Regarding July 18, 2021 State of Emergency**

**Chairman Smith** explained that the temporary repairs of Poplar Mountain Road have been completed for the season. There are no further updates currently.

#### **Library Construction Project Update & Review of Change Order Requests**

Bryan explained that the Town is following up with Library Architect and Owners Project Manager on the status of the punch list items, including the outstanding LEED certification.

#### **Review Surplus Property Request- Assessors & IT Department- 2nd Reading**

The Select Board members conducted a second reading of the Assessors & Information Technology departments surplus equipment request. The Select Board members have no concerns with request. The Select Board members discussed having functioning equipment like the printers advertised for availability in the Around Town Newsletter. The Select Board plans to conduct a third reading at the next meeting.

#### **Review of Revised FY2023 Budget Development Calendar**

Bryan reviewed the revised FY2023 budget planning calendar. The Select Board members discussed having no concerns with the revisions to the calendar as presented. The Select Board members approved the revised FY2023 budget planning calendar for release.

#### **Joint Meeting with Board of Assessors- FY2022 Tax Classification Hearing**

At 6:37 PM **Chairman Smith** called the joint meeting of the Select Board and the Board of Assessors for the Fiscal Year 2022 tax classification public hearing to order. Mark Burnett and Jeffrey Rollins, Board of Assessor's members, and Jacquelyn Boyden, Principal Assessor, joined the meeting. The Select Board members reviewed the unanimous recommendation from the Board of Assessors to maintain the minimum residential factor (MRF) shift of 65%. Mark explained the Board of Assessors' recommendation, noting that the if adopted the tax rate for residential and open space classifications of property would increase by \$0.31/\$1,000.00 and the tax rate for commercial, industrial, and personal property classifications of property would increase by \$0.55/\$1,000.00. The Select Board members discussed having no concerns with the recommended shift.

**Chairman Smith** made a motion to close the public hearing at 6:40 PM. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

**Selectman Bastarache** made a motion to set the MRF shift to 65% for the FY2022 tax classification. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

#### **FY2022 Small Business Commercial Exemption**

Mark explained that the Board of Assessors recommends that the Select Board continue to offer the Small Business Commercial Exemption for FY2022. Jacquelyn explained that there are seven (7) eligible businesses for FY2022. The Select Board members expressed support for continuing the exemption. **Selectman Bastarache** made a motion to continue with the Small Commercial Exemption for FY2022. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

At 6:42 PM **Chairman Smith** made a motion to adjourn the joint meeting of the Select Board and the Board of Assessors and to continue with the Select Board meeting. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

#### **Discussion Regarding Traffic Control in Erving Center Impacted by Church St. Bridge**

**Chairman Smith** provided an overview of the traffic detour. Bryan explained that the Town is waiting on a response from the Massachusetts Department of Transportation (MassDOT). **Selectman Bembury** expressed concern about the movement of the road closed sign at the entrance to Church Street from Route 2. Bryan explained that the barrier sign was moved to prepare for snow removal for the season. Bryan explained that the LED sign would remain. **Selectman Bembury** discussed the observed increase in traffic now that the barrier has been removed from the travel lane. **Selectman Bembury** explained that he wants the signage returned until it snows. **Chairman Smith** discussed working to find a new flexible solution that limits traffic and doesn't create an obstacle for snow removal. **Chairman Smith** asked to change the message on the LED sign to clearly convey that there is no right turn option at the intersection. **Chairman Smith** asked Bryan to coordinate with Public Safety on traffic issues.

#### **Review of Arch Street Force Sewer Main Change Order Requests**

No updates at this time.

#### **Review of Meeting Minutes for January 11, 2021**

The Select Board passed over this agenda item.

#### **Review of Meeting Minutes for January 25, 2021**

The Select Board passed over this agenda item.

#### **Review of Meeting Minutes for February 08, 2021**

The Select Board passed over this agenda item.

#### **Review of Meeting Minutes for March 01, 2021**

The Select Board passed over this agenda item.

#### **Review of Meeting Minutes for March 08, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for April 26, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for May 03, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for June 14, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for August 16, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for September 13, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for September 20, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for September 27, 2021**

The Select Board passed over this agenda item.

**Review of Meeting Minutes for November 01, 2021**

The Select Board members reviewed meeting minutes for Monday, November 01, 2021. **Selectman Bastarache** made a motion to approve the meeting minutes of November 01, 2021, as printed. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

**Review of Meeting Minutes for November 15, 2021**

The Select Board members reviewed meeting minutes for Monday, November 15, 2021. **Selectman Bembury** made a motion to accept the meeting minutes of November 15, 2021, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Review of Meeting Minutes for November 16, 2021**

The Select Board members reviewed meeting minutes for Tuesday, November 16, 2021. **Selectman Bembury** made a motion to accept the meeting minutes of November 16, 2021, as written. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Review of Former International Papermill Request for Interest Submissions**

Mariah Kurtz, Assistant Town Planner, joined the Select Board to review the submissions received in response to the request for interest (RFI) process that was conducted for the former International Papermill (IP Mill). Bryan explained that the Town received one (1) official response and one (1) unofficial response. **Chairman Smith** explained that the official response was received from the Community Builders, Inc. and that the unofficial response was received from Rural Development, Inc. Mariah explained that the interest that was received from potential developers was focused on affordable housing. Mariah explained that the Community Builders submission suggests that the property could be used for approximately sixty (60) housing units and the Rural Development concept discussed exploring a development for forty (40) units. Mariah explained that the Community Builders submission discussed keeping and redeveloping buildings #2 and #8, while the Rural Development concept explored a redevelopment of much more of the existing complex. Mariah reiterated that the proposed uses were

predominantly housing and included some commercial spaces. Mariah clarified that both proposals included affordable housing units and some market rate housing units. Mariah noted that the Rural Development concept discussed the possibility of developing condominiums that would be for sale. Mariah added that both proposals discussed trying to repurpose building# 8 because of its proximity to the Millers River and the ability to maintain access and the view. Mariah explained that the Community Builders' proposal included a river walk concept which would allow for an open recreational opportunity for residents and the public on the property. Mariah explained that Rural Development discussed the use of Federal and State historic tax credits and housing tax credits. Mariah added that the Community Builders provided a detailed financial plan for the potential development.

**Chairman Smith** discussed the market study that was prepared by Tighe & Bond approximately five (5) or six (6) years ago that included a mixed-re-use concept. **Selectman Bembury** explained that the responses are encouraging but expressed concern about the impact on the proposed senior housing project for Care Drive when one of these proposals could be used for senior housing. **Selectman Bembury** expressed a concern about a proposed development that is strictly housing and discussed the need to consider the impact on the community and public safety and educational services. **Selectman Bembury** discussed the need to be thoughtful about potential impacts. **Selectman Bembury** asked about zoning considerations for the proposals. Mariah explained that the proposed Planned Unit Development (PUD) overlay district could be an option for redevelopment of the IP Mill site and discussed site plan review process. **Selectman Bembury** expressed his preference to see the mixed commercial proposal for the site. **Chairman Smith** noted that a senior housing and/or commercial use was incorporated into the Community Builders proposal for phase 2. **Chairman Smith** explained that based on his review, the economics seemed to work for the construction project and anticipated timeline. **Chairman Smith** expressed concern with the estimated cost of demolition and reality of development. **Chairman Smith** acknowledged the need to consider the impacts redevelopment of the site may have on services. **Selectman Bastarache** asked if interested developers participated in the site walks. Mariah explained that at least three (3) or four (4) developers attended the site walk that the Town organized. **Selectman Bastarache** expressed appreciation for the RFI responses that the Town received but noted concern about not receiving a primarily commercial proposal. **Selectman Bastarache** discussed the importance of considering the potential impact on services but noted that the Town does have existing capacity. **Selectman Bastarache** explained that he knows that affordable housing is needed in town and discussed wanting to see a wholistic concept. **Selectman Bastarache** expressed appreciation to Mariah and Bryan for their work on the RFI.

Mariah discussed the Town's long stated goal of developing senior housing and expressed concern about the current lack of affordable housing in the Town. Mariah discussed the proposal and explained that State support for senior-only housing may be challenging because the Town's existing inventory is so low. Mariah explained that the next step in the process is to develop a request for proposals (RFP) and expressed concern about developing an RFP that is specific for a residential redevelopment. Mariah discussed the importance of the development of the RFP comparative criteria rubric. **Selectman Bastarache** expressed agreement and explained that he has always considered a commercial and industrial re-use for the site and is open to considering a residential option. **Selectman Bastarache** discussed wanting to carefully develop the rubric to be open to all proposals. **Chairman Smith** expressed agreement and discussed the need to be clear in the guidelines about what buildings need to go and which must be retained, ensuring that the guidelines align with the Town's goals. Bryan discussed the risk associated with stating goals that lead to unintended outcomes. **Chairman Smith** discussed finding a way to build the rubric that gives a balance between housing and commercial redevelopments. **Selectman Bastarache** expressed agreement.

Bryan explained that the Town has followed up with MassDevelopment regarding the Brownfields cleanup funding the Town received. Bryan explained that MassDevelopment offered the guidance that the Town should do what is best for the Town and did not recommend setting a sale price floor for the RFP. Mariah noted that the Town is an award recipient of a Site Readiness grant, in the amount of \$600,000.00 from MassDevelopment, to support selective demolition at the IP Mill site. Mariah explained that she met with MassDevelopment after RFI submissions were received and that MassDevelopment has clarified that the Site Readiness funding is tied to an intended commercial and industrial redevelopment of the site. Mariah explained that MassDevelopment is exploring how long they can hold the grant funding to allow the Town to go through an RFP process. Mariah reviewed the Town's investment in the property, to date, and noted that it currently exceeds the investment that MassDevelopment has made. Mariah discussed the goals of the Site Readiness program, that include reducing blight and returning properties to the tax rolls. Mariah noted that the Site Readiness grant funding is not tied to a specific fiscal year so that there is some flexibility with the timeline. Both **Selectman Bastarache** and **Chairman Smith** discussed wanting to know more details about the Site Readiness grant program requirement to support commercial development. Mariah acknowledged the request and discussed wanting to see the comparative criteria for the RFP developed with a focus on commercial and industrial redevelopment. **Chairman Smith** suggested that the Site Readiness funding may serve as an incentive for developers to respond to the RFP.

Mariah reviewed the financial overview from the proposals received from Community Builders and Rural Development. **Selectman Bastarache** discussed the concept from Rural Development and noted that the incorporation for art and creativity that seems to align with the priorities with MassDevelopment. Bryan discussed approaching the redevelopment of the site with a cohesive approach considering how Erving-side and the Village of Millers Falls in Montague are designed to work together. **Selectman Bastarache** expressed appreciation for the co-working space that Rural Development included with their response. **Chairman Smith** requested further follow up with MassDevelopment.

#### **Review of Former International Papermill RFP Draft**

The Select Board members discussed the plan to review a revised RFP draft for the redevelopment of the former IP Mill site at their meeting on December 13, 2021. Bryan discussed using the feedback from the Select Board discussion on the RFI submissions to inform revisions to the draft RFP. Mariah discussed a tentative goal for releasing the final RFP by the end of January 2022. **Selectman Bastarache** requested that the current draft of RFP is sent to Select Board members so that they can individually begin reviewing the document. **Selectman Bembury** discussed the importance of ensuring that there is a commercial aspect of the project, and the Select Board members discussed the mixed-use redevelopment preference. The Select Board members discussed prioritizing the preservation and re-use of building #8. Mariah asked if the Select Board wanted a prioritization for open space or public art. The Select Board members discussed being unsure that an open space requirement is highly advantageous for the redevelopment of the property. **Selectman Bastarache** expressed concern about framing a rubric that limits responses and ultimately pursuing an RFP response that is not viable. **Chairman Smith** expressed support for including an affordable housing if a housing redevelopment is proposed and discussed prioritizing job creation for commercial redevelopment proposals.

Bryan asked the Select Board if there was a prioritization for preserving and redeveloping building #2. **Selectman Bembury** expressed support for encouraging a redevelopment of building #2. **Selectman Bastarache** expressed agreement and discussed framing the comparative criteria rubric to reward re-use of building #2, noting the look and feel of the industrial setting. **Chairman Smith** discussed the limitations

of building #2, because of its placement, for site access and the view of the Millers River. The Select Board members will review the draft RFP at a future meeting.

**Discussion Regarding Request for Letter of Support for Northfield Mtn/New England Trail Protection**

Mariah discussed conversations that she has had with the Appalachian Mountain Club and efforts to protect the New England National Scenic Trail, with the goal of placing the trail under conservation restrictions. Mariah explained that the Appalachian Mountain Club is asking for a letter of support for the protection of the four (4) miles of the trail that passes through Erving. **Selectman Bastarache** explained that he would like to better understand the conservation restrictions that are being sought and the impact that it might have on private property. Mariah clarified that landowners would have to choose to participate in the conservation restriction process and that it is not being forced upon landowners. **Selectman Bembury** discussed support for issuing a letter of support. **Chairman Smith** made a motion to authorize the Chair to sign the letter of support for the Appalachian Mountain Club effort to protect the 4 miles of the New England Trail in Erving. **Selectman Bastarache** seconded. **Vote:** Unanimously approved.

**Review of Draft Special Town Meeting Warrant**

The Select Board members reviewed a draft Special Town Meeting Warrant.

***Article 1: Appropriation for FY2021 Expenses***

The Select Board members reviewed article 1 which would allow the Town to pay bills from FY2021, in the total amount of \$1,983.36. Bryan provided an overview and explained that the source of funding is Free Cash. The Select Board members expressed no concerns with the article as presented.

***Article 2: Appropriation for the General Stabilization Fund***

The Select Board members reviewed article 2 which, if approved, would appropriate \$544,030.00 from the Library construction project fund into the General Stabilization Fund. The amount appropriated is the same as a grant payment received from the Massachusetts Board of Library Commissioners. The Select Board members expressed no concerns with the article as presented.

**Chairman Smith** asked if the Select Board members wanted to include an article that would close the unspent funds that had been appropriated for the Library's solar array, and return it to the General Stabilization Fund. The Select Board members expressed agreement and Bryan will draft the article.

***Articles for the Public Way Layouts of Care Drive, Public Works Boulevard, the Relocation of Highland Avenue, and the Relocation of Pleasant Street***

The Select Board members reviewed four (4) unnumbered articles that provided the metes and bounds to layout Care Drive, Public Works Boulevard, Highland Avenue and Pleasant Street as public ways. The Select Board members expressed no concerns with the articles as presented.

***Article to Join the Pioneer Valley Mosquito Control District***

The Select Board members reviewed the article that, if approved, would allow the Town to seek membership with the Pioneer Valley Mosquito Control District. Bryan explained that the annual cost of joining the district is \$5,000.00. **Selectman Bembury** explained that he would like the article amended to incorporate the funding language for the initial year. The Select Board members expressed agreement. **Selectman Bastarache** discussed providing sufficient context for the reason the Select Board is recommending this action in the article information section.

***Article to Authorize the Disposition of 17 Moore Street***

The Select Board members reviewed the article that would authorize the Board to lease or sell the property after conducting a procurement process. Bryan explained that the map and lot number for the parcel was being verified with the Assessor's Office. The Select Board members expressed no concerns with the article as presented.

***Article to Authorize the Acquisition of a Pratt Street Easement***

The Select Board members reviewed the article that would authorize the Board to acquire an easement to place and maintain the pedestrian crossing signal equipment at the corner of Pratt Street and Lester Street. Bryan explained the need for the easement and estimated the need for a few square feet. The Select Board members expressed no concerns with the article as presented.

***Articles to add Section 8.3 of the Zoning Bylaw, to Amend a Definition in Section 9 of the Zoning Bylaw, to Amend the Use Table in Section 4.2 of the Zoning Bylaw, and to amend the Official Zoning Map***

The Select Board members reviewed four (4) unnumbered articles related to proposed changes to the Zoning Bylaw, that include a proposed overlay district called Planned Unit Development, an amendment to the definition section changing references to "family" to "unit," an amendment to the Use Table in Section 4.2, and the adoption of a revised Official Zoning Map. **Chairman Smith** asked the Select Board members if they wanted to address these Zoning Bylaw articles at the Special Town Meeting or hold them until the Annual Town Meeting.

Considering the draft warrant topics, **Chairman Smith** suggested waiting on the stabilization articles and the road layouts for Care Drive, Public Works Boulevard and Pleasant Street, and the Pratt Street easement article. **Chairman Smith** discussed the importance of addressing the Highland Avenue layout for the affected property owner and the importance of the 17 Moore Street article. **Chairman Smith** discussed the potential impact of the proposed Zoning amendments on the anticipated RFP processes for the former IP Mill and the former Graded School sites. **Selectman Bastarache** expressed concern about presenting Zoning changes at a Special Town Meeting but agreed that they are time sensitive. **Selectman Bastarache** explained that he is personally okay with proceeding, but acknowledged the concern expressed by residents for including important decisions on a Special Town Meeting warrant. **Chairman Smith** acknowledged the concern and discussed support for informing members of the public. Bryan will make the necessary revisions to the draft warrant. **Chairman Smith** discussed the tentative plan to schedule the Special Town Meeting at the next Select Board meeting, suggesting a January 2022 date.

**Planning Board Resignation- George "Moonlight" Davis**

**Chairman Smith** explained that George "Moonlight" Davis has submitted his letter for resignation as a member of the Planning Board effective November 18, 2021. **Chairman Smith** expressed appreciation to George for his years of service to the Town. The Select Board members expressed agreement. Bryan will advertise the vacancy on the Planning Board with a mid-January 2022 deadline for letters of interest.

**Adjournment**

At 8:32 PM **Chairman Smith** made a motion to adjourn. **Selectman Bembury** seconded. **Vote:** Unanimously approved.

Respectfully submitted,



Bryan Smith, Town Administrator