

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 02/12/2025

SELECTMEN IN ATTENDANCE: Tabitha K. McCrohan, Chairwoman, Jennifer Vincent, Clerk, Joe Freitas, Member

TOPIC		ACTION
	Meeting Convened at 5:30 p.m. in the Moitoza-Petty Hearing Room	
New Business	<p>Board moved to authorize Carol Boute as Library Director to sign standard contract between the Massachusetts Board of Library Commissioners and the Town of Berkley.</p> <p>Board moved to confirm Carol Boute as an authorized officer for future contracts and documentation from the Massachusetts Board of Library Commissioner and to accept the Planning and Design grant.</p> <p>Board moved to authorize Matthew Chabot, Tabitha McCrohan, Carol Boute, and Dean Larabee as assurance signers of the "Planning and Design Phase Assurances Agreement."</p>	JV moved to authorize; JF 2 nd , motions are approved
Old Business	<p>Board to discuss and invite public commentary on the MBTA Communities Act for the formal submission of a Public Comment Form to the Executive Office of Housing and Livable Communities.</p> <p>Vincent stated Berkley doesn't fit the structure of the intention of MBTA Communities Law and has been caught up in the goals of the Commonwealth.</p> <p>McCrohan stated we can zone whatever we like and we have more control than most. We need to codify our bylaws to zone for this district "by right", cannot be by special permit.</p> <p>Vincent inquired what is the difference? To which McCrohan answered that a Special Permit means they have to go before a permitting authority.</p> <p>Freitas said he doesn't know how the ADU changes will have an impact on housing stock. They want to add bodies to the community, not housing stock. Could we be excluded, all small adjacent communities. Freitas stated we should exclude through waiver or amendment the "small adjacent communities".</p> <p>We have a right to say that the taxpayers cannot afford this. Your state tax money is apparently of no consequence. That is the message to our state legislators.</p> <p>Freitas said the meals tax local options are not adequate enough for the small towns like us.</p> <p>McCrohan said she had a discussion with a developer today and we need to look at other options for revenue. We won't win this fight; they will find the way. There are ways to make good things come from a crisis.</p> <p>Developers will ask for a variance if zoned in a place that doesn't have the requisite infrastructure. Mixed use is another option. Freestanding restaurants and condo complex are complementary items. This isn't public housing; it would be a private condo association.</p> <p>Freitas asked if it's almost like subletting? It isn't the buildings at issue, it is the increased costs that will be passed on. What have other towns done or been successful with?</p> <p>McCrohan said the developer had a lot of experience. Large scale projects, decent money and permitting. Could we revamp the fee schedule?</p> <p>Vincent said our job is to bring a plan for zoning 3A to the ATM.</p> <p>Freitas said we need to bring something to Annual Town Meeting. We should continue to have discussions as we move toward that date Many communities are going against the 3A process. If the commonwealth said we'll put 18 houses in your community and give financial support. I'd think about it. 118 is a heavy burden for the municipality.</p> <p>Rob Cote 14 Church St. Berkley.</p>	

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Cote questions: This started two years ago. We felt we were at the tail end. We were originally 375 units and that came down. That got buttoned down through the State's process.

Milton took the State to court and lost. They made gains on enforcement language that's the only reason there's an open period. They aren't looking for real feedback.

We should still reply. Berkley is not part of the transit-oriented community, that isn't really us. That is about the only case we can make; it won't be well received but we should do it.

We have yet to quantify what will be denied. It would be good to know how much we'd be losing.

Freitas said keep your money, we can't put out there what isn't fact.

Cote asked why haven't they gone after some of these things?

Freitas stated that communities might consolidate and fight. Imagine half of those communities doing that.

Cote asked, "Have we reached out to other communities about potential legal recourses that are adjacent small towns. Write letter to their town admins, what are you up to?"

Vincent stated that we're taxpayers isn't there an obligation?

Cote questioned, "Quantify the costs to the Town? Is anybody working on this?"

McCrohan stated that we had a few 3rd party presentment letters.

Freitas said most of the budget analysis that we've done has said that there is a significant cost.

Cote wants to know what is the process to move forward?

McCrohan said joint meetings between BOS and the Planning Board and bring it to Town Floor.

Melinda Paine Dupont 1 Macomber, Berkley.

Dupont said that there are multiple representatives, there's a simple solution. Zone the seven acres that nobody will build on, that's the easy path.

McCrohan stated Taunton did Home Depot and Target.

Dupont stated, "Just getting it done, is not that different. Cotley River and the railroad tracks. Who is building there? It can already have houses on it. Look at the path of least resistance and take it."

Vincent said it isn't for us to decide.

McCrohan added, hopefully it looks like nothing.

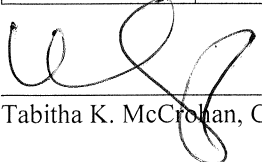
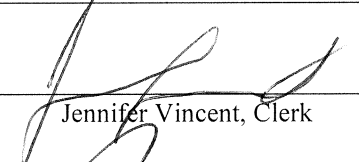
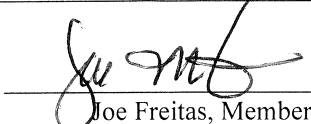

George Miller 16 Parsons, Berkley.

Miller stated, "With due respect, that was discussed with town counsel. AJC doubted that they'll tolerate zoning undevelopable property. As reps, we put it out and let people vote, it seems that there was a consensus." All three Selectmen were previously against. "Family-

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	<p>specific.” The hope is that the reps would advocate for the townspeople, we’re strongly against it. Everyone is still against it?</p> <p>McCrohan responded, “This is an extreme. But no. If the people don’t want any multi-family, then that’s what it’ll be.”</p> <p>Miller followed with, “I was at a development to see over 55. There are no kids. It is just taxes. Is there any interest in that development?”</p> <p>McCrohan stated that we did a 55+ community. What happened?</p> <p>Miller said he is unsure it was before my time. I think the economy collapsed. Miller’s opinion was we don’t have to go down this path. Maybe put it to Town Meeting, to see if they want to even vote on it. It is about changing the demographics. They already did the backdoor trick with the ADUs.</p> <p>Freitas stated road of information, not compliance.</p> <p>Miller said it is your vote, your leadership, your guidance, there is more that you can do.</p> <p>Vincent suggested they look at the numbers. We were concerned with the decline in foundation enrollment.</p> <p>McCrohan asked, “Does the additional population mean that we’re no long small adjacent?”</p> <p>Miller said the new administration might fight for us. Potentially the Department of Justice.</p> <p>He suggest a letter to Norm Orrall to inquire as to what could be done at a State level.</p> <p>Mr. Larabee noted that since 2000, this population has been forced to grow and will continue to grow. Change is inevitable. Berkley is a gem and a tremendous community.</p> <p>We’re going to add population regardless, we need to try to avoid bonfires financially. I respect the three Selectmen for sitting up there, and planning and trying to get your arms around it.</p> <p>Freitas stated that zoning was always used to control growth in communities. At some point, housing may come to Berkley, but how do we minimize the impact. We should talk about it in the lead-up to June. It would be very hard for me to accept to 3A.</p> <p>McCrohan stated we have a good list to put in the form and ask. I have deep roots in the town and want to control how we build.</p>	
Adjournment	The Board voted to adjourn at 7:00 p.m.	McCrohan to motion to adjourn, Freitas 2 nd , voted.


Tabitha K. McCrohan, Chairwoman
Jennifer Vincent, Clerk
Joe Freitas, Member
Matthew Chabot, Town Administrator