

MINUTES - Heath Planning Board Meeting

Town of Heath
Planning Board
Via Zoom
Jan 07, 2026, at 7:00 pm

Meeting called to order by the Chair at 7:06 pm

ATTENDANCE:

Douglas Mason - Chair
Cindie Garland – Boards Clerk
Will Emmet
Peter Charow
Bob Bourke

New Business:

Temporary Planning Board Member

- Bob reported that the Select Board requested that anyone interested in serving on the Planning Board submit a letter of intent to the Select Board.
- The planning board has not received any interest to serve. Doug will reach out to others.

Old Business:

Accessory Dwelling Units (ADUs)

- Cindie reported that she reviewed prior Planning Board and Town Counsel notes recommendations regarding the ADU bylaw. She cleaned up the existing draft, noting that the work was largely complete last year but ran out of time.
- Cindie will submit the revised draft to the Town Coordinator and Town Counsel for review. Board members agreed this item should be straightforward and largely dependent on compliance with state regulations.

Short-Term Rentals (STRs)

- Currently only one active Airbnb listing in Heath. Others may exist “off the radar” or are inactive / longer-term rentals.
- Comparable towns (Charlemont, Colrain, Buckland, etc.) are already regulating STRs.
- Airbnb automatically collects and remits local STR taxes to towns. The board recommend adopting the maximum allowed 6% STR tax. Tax is paid by the guest, not the property owner.
- The board agreed the program appears to be a low burden, easy to administer, and a potential revenue source.
- No appetite to limit the number of STRs currently. Board members had concerns about population-based caps and resident vs. non-resident ownership were raised, but considered complicated, potentially unfair, and unnecessary right now. Agreed to revisit limits in the future if STR numbers increase.

- Strong agreement that Heath should require local STR registration with the Town Coordinator/Clerk. Registration would support tax collection, compliance, and basic oversight. Registration would require: Proof of state registration (DOR), Certificate of Occupancy and insurance (incl. \$1M liability, consistent with state guidance).
- The board felt that a special permit was not required and would rely on requirement desired (too burdensome). However existing Certificate of Occupancy, Fire safety requirements and Board of Health / FRCOG inspections as applicable.
- The board agreed to keep the bylaw simple and workable, not punitive. Use state definition of STRs. No cap on number of licenses. Include basic behavioral standards: No excessive noise, disturbances, or traffic. Avoid over-regulating occupancy or use unless problems arise.
- Doug volunteered to draft a proposed STR bylaw, based on:
 - 6% tax
 - Registration requirement
 - State definitions
 - Minimal, common-sense standards
- Draft will be reviewed by the Board before a public hearing.
- Final version must be solid before Town Meeting.

Battery Energy Storage Systems (BESS)

- Doug stated he received multiple inquiries asking about Heath's BESS regulations. Currently no clear local regulations.
- State of Massachusetts is actively encouraging BESS to support renewable energy and grid stability. State provides model bylaws (~11 pages) with: Tiered system by size (Tier 1, 2, 3). Fire safety, site plan review, emergency response, and decommissioning.
- Towns cannot outright ban BESS, per AG decisions.
- Towns *can* regulate location, require site plan review, and special permits.
- The board raised concerns:
 - Local fire departments are not equipped for large lithium battery fires.
 - Strong preference to keep large systems out of Heath Center and Mohawk Estates. Road access and emergency response are major factors.
 - Large (Tier 2/3) systems could be industrial-scale installations.
 - Current bylaws are weak and fragmented.
 - Opportunity to strengthen and consolidate requirements.
- Community Benefits Agreements (CBAs) are encouraged for large projects but must be voluntary. Cannot be used as leverage to approve or deny permits.
- Potential concerns of use of fire equipment, emergency training requirements and infrastructure support.
- Doug will circulate two documents:
 1. State's model BESS bylaws
 2. Annotated version with Doug's comments
- Board members to review before next meeting.
- Possible future actions:
 - Add BESS to zoning bylaw
 - Require site plan review + special permit for larger tiers
 - Beef up decommissioning standards

5G / Wireless

- Doug deferred to next month.
- National Grid rolling out wireless meters; opt-out reportedly ~\$34/month.
- Doug plans to draft language about dropped-call data requirements.

Solar Bylaw Review

- Will stated the review still in progress.

Subdivision Regulations

- Bob circulated existing regulations.
- Board encouraged to skim for outdated fees or gaps.
- Public hearing required, but lower priority.

Zoning Bylaw Cleanup

- Cindie is continuing cleanup work with consistency edits.
- Definitions consolidated into Section 9.

Previous Meeting Minutes

- Doug led a review of previous meeting minutes from Dec 03, 2025.
- Doug made a motion to approve the minutes with minor edits. Will moved. Bob second. All in favor, Doug “Aye”, Will “Aye”, Bob “Aye” and Peter “Aye”. Minutes pass unanimously.

Next Meeting will be held Feb 4, 2026 @ 7:00 pm via Zoom.

Adjournment

- Doug made a motion to adjourn the meeting at 8:40 pm. Peter Moved. Will Second. All in favor, Doug “Aye”, Will “Aye”, Peter “Aye”. Meeting adjourned at 8:40 PM with unanimous approval.