

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR MAY 16, 2022 MEETING
Approved on June 6, 2022**

Commission/Board Members Present: George Lamphere, Seth Jensen, Gordon Gebauer, Mark Letorney.

Commission/Board Members Absent: None

Also, Present: Melissa Manka (Westford Town Planner), Diane Finnigan (Minute Taker), Barb Peck, Joseph and Sheila Franz, Ira Allen, Maureen Wilcox, Mary Cavanaugh, and Carol Winfield.

The meeting began at: 6:30p.m.

Amendments to Agenda:

S. Jensen requested time to speak about the crosswalk repainting request.

M. Manka requested time to speak about the UPWP stormwater grant.

G. Lamphere granted said requests and stated the topics would be discussed towards the end of the meeting.

Minutes of the April, 4, 2022 Meeting:

Melissa will make any needed changes as Diane was not on board yet.

G. Lamphere MOVED to accept minutes as presented.

S. Jensen SECONDED the motion.

G. Gebauer abstained.

The motion PASSED 3-0.

Minutes of the May 3, 2022 Meeting:

Diane will make any needed changes and submit final copy to Melissa.

G. Lamphere MOVED to accept minutes as presented.

S. Jensen SECONDED the motion.

The motion PASSED 4-0.

Minutes of the May 6, 2022 Meeting:

Melissa will make any needed changes.

One small typo was suggested to be made.

G. Lamphere MOVED to accept the minutes as amended.

G. Gebauer SECONDED the motion.

The motion PASSED 4-0.

Meeting Rules and Procedure:

G. Lamphere discussed the importance of having rules and procedures for the planning commission meetings. He stated as chair he needs to respect order and decorum. The agenda needs to be followed.

We will continue to seek public comment from citizens as time allows. If a participant has a question, please raise your hand and state your name. We will limit questions and comments to 3 minutes to allow others to speak as well. Please do not ask rhetorical questions as this fosters discourse.

Citizens to be Heard – *Items not on the agenda:*

C. Winfield said that she had sent some questions to the planning commission, and one had been answered and she is wondering when the rest will be answered. G. Lamphere responded that we will have a time later in the agenda on how the planning commission will respond to correspondence.

Zoning Administrator:

Kate Lalley who has been the Town of Westford's zoning administrator is resigning after 10 years. She gave notice to the select board and they accepted the resignation. Kate has agreed to stay on until the end of the fiscal year. This may be an opportunity to look at whether there needs to be any restructuring. It needs to be decided who would take over the position if no one is employed prior to Kate's departure. G. Lamphere indicated state statute requires the planning commission to nominate an individual for a 3-year appointment by the selectboard.

The planning commission needs to select someone to work with Nanette and selectboard on the hiring process. M. Manka would like to be part of the process. G. Lamphere volunteered to take on this.

S. Jensen MOVED that G. Lamphere be the individual to work with Nanette and selectboard regarding hiring of new town zoning administrator.

G. Gebauer SECONDED the motion.

The motion PASSED 4-0.

Draft 2022 Rules of Procedure:

G. Lamphere discussed that there were no big changes just some clean up that needed to be done. We have been recording the planning commission meetings recently and do we want to continue this? Legal counsel has advised against this recording meetings. G. Lamphere feels that the recordings are good, they foster transparency, and you can go back and get details from the meeting. S. Jensen agrees it provides a recorded history of the meeting and we have technology available so we should use it. M. Letorney disagrees and feels we should follow the town attorney's advice by relying solely on the official record – the minutes but agrees that the recordings are good for transparency. G. Gebauer understands M. Letorney's points but states that we are attempting to be more transparent and it's important to be as transparent as possible.

M. Manka stated that the DRB is also discussed the issue. She sees value in the recordings as it provides protection to boards. M. Manka said she does have concerns with exceeding open meeting law requirement as it creates a slippery slope and increases staff workloads. She feels the commission needs to make a clear line as to where/when they will exceed statutory requirements while taking into consideration staff resources.

G. Lamphere MOVED to amend the rules of procedure as amended.

G. Gebauer SECONDED the motion.

The Motion PASSED 3-0.

It was decided to give it a try for a year. All planning commission members agreed. G. Lamphere will let the select board know that we are going to continue to record the planning commission meetings.

Correspondence Response:

G. Lamphere stated we only need to have planning commission meetings once a month but have been holding two per month due to workload. If we dedicate time at the meeting to respond to correspondence this could take a long time and make long meetings even longer. Individual responses from commissioners are opinions and need to be framed as such. It is important that we are clear with the public that a response from one commissioner is a personal opinion and not that of the commission.

If the correspondence is a specific question, we can either answer or not answer and it is acceptable to say I don't know the answer and can get an answer. We should refrain from responding other than to say thank you for your feedback to anything that is a rhetorical question.

Therefore, how do we proceed? M. Manka indicated that a process was agreed by the town that we would not respond to social media. We are only to respond to items received via email, writing, talking to the person live or at public meetings. She offered three ways we could respond:

1. Designate an individual to respond to correspondence.
2. Review and respond to correspondence at meetings.
3. Use a RFQ process. A citizen could submit questions by a given date and then at the next meeting the planning commission would issue a response to the public.

G. Lamphere said he wasn't sure of the best way to proceed but it was important that we do not hold onto items. We may not always have the answer to get back right away and this could slow it down more.

M. Manka suggested it might be easiest if we designate one person who responds. However, due to the number of inquiries and content, she would prefer to add it to each agenda so that staff does not get overwhelmed with responding to inquiries.

G. Gebauer disagrees as this could make planning commission meetings even longer. He thinks it should be a planning commission member and not staff to respond. G. Lamphere said part of the challenge is if it's a quick question and we know the answer it's easy to respond but if there are a lot of questions it will take a lot of time of the planning commission. If we offered the person inquiring to participate in the planning commission meeting this might speed up the response. M. Letorney stated we have a lot of in-depth projects going on that are now getting more involved and he's not sure how quick turn around on questions might be. So much work still needs to be done by the planning commission that maybe we do a round robin response. We need to be conscience of how long the time is for a response. G. Lamphere suggested maybe we try a hybrid response. We put it on the agenda to answer in the meeting in an allocated time and if we ran over on time, we would select someone to respond. M. Manka suggested 10 minutes for correspondence and 10 minutes for citizens to be heard. G. Lamphere asked if we should invite the author of the correspondence. M. Letorney doesn't think we need to invite the author as it is already on the agenda as there is a citizen to be heard on the agenda and minutes. The planning commission decided that they would dedicate time within each agenda to answer correspondence.

Correspondence:

Maureen Wilcox sent an email regarding freedom of speech - Receipt confirmed. No action taken.

Lori Johnson FBC T5 Setbacks Email – Receipt confirmed, and this matter will be taken into consideration during the next round of WLUD amendments.

Carol Winfield 1705 Questions Email– Receipt confirmed. C. Winfield's questions were answered. 1) Were appraisals of the property done? The response is yes. 2) Does the town plan to investigate the existing septic system and/or conduct test pits. Response is that we have no plans to investigate the existing septic situation and/ conduct test pits, beyond the hand auger work conducted by KAS Consulting. This is not in the grant scope of work. 3) There were building plans presented in November and Carol wondering if GMHFH was a part of that process. Response is yes and the town is continuing to work with GMHFH on design. 4) Are there any plans for the house. Response is plans for house are to be determined. Plans for the house will depend on funding source and condition of the home. G. Lamphere asked Carol if this answered her questions. Carol responded that she appreciated the response.

Lee McClenny Airstrips & Helipads Email– Receipt confirmed, and this matter will be taken into consideration the during next round of WLUD amendments. Lee McClenny emailed to bring attention to the increase in private air strip and helipad requests throughout the state. Currently, Westford does not have either and has not had request. There was an air strip off Plains Road at one time that is no longer there. There are no current regulations to address requests.

Barb Peck Keep Westford Rural Website Email– Receipt confirmed. No action taken.

Carol Winfield May 3rd PC Meeting Complaint – Receipt confirmed. G. Lamphere acknowledged with the rules and procedures in place we will stick to the rules and responses will be respectful and productive. No action taken.

ARPA Committee:

G. Lamphere explained how the town has been able to claim ARPA as lost revenue for the town. Reporting is required but we are not restricted in how the money can be spent. Select board asked the commission to discuss submitted a wastewater request and asked the commission to submit a funding request for a town office alternatives analysis. Follow up will be added to the next agenda.

M. Manka inquired for the town office would this project be managed by planning commission or select board? G. Lamphere responded that the planning commission could not carry the project long term. M. Manka asked if the request was for the existing footprint or expansion or replacement? G. Lamphere indicated the scope had not been determined. M. Manka stated the previous selectboard had the office assessed and nothing more can be done with it in its current state. G. Lamphere asked the commission to think about these items which will be placed on a latter agenda for discussion.

UPWP Stormwater Grant:

The UPWP is a CCRPC \$20,000 grant with a \$3,000 planning commission special project match to study the stormwater issues within the town common area. Hoyle and Tanner were awarded the contract. Our project leader Audrey has left the firm has been replaced by Jon Olin. M. Manka does not believe this will negatively impact the project.

Community Wastewater Project

Step 2 ESA:

During the last meeting we discussed the drat ESA with Stone and planning commission comments were sent to Stone on 5/11. On 5/13 M. Manka and G. Lamphere met with DEC to discuss the ARPA grant and ESA process. Stone still needs DEC to answer some questions, then the planning commission, DEC and select board will need to review the document. The hope is to connect with DEC soon so we can have a formal draft by June.

G. Lamphere said planning commission is anxiously awaiting the revised ESA. This will give us the first look at Stone's fee schedule. Both of these items could impact the project. Planning commission will need to approve and then it would go back to Jeff for final review before selectboard review and, hopefully, approval. M. Manka said Stone feels that they have a good handle on the project.

Communications:

G. Lamphere asked if there was anything for the outreach committee? Do we think we will have the bond ready for November or the next town meeting? Do we want to send a request to the outreach committee? S. Jensen suggested that we wait until we have Stone's opinion, this way we are avoiding speculation. G. Lamphere noted that it was more likely we would have the bond vote ready for town meeting day at the earliest.

Barb Peck offered that tonight's meeting had been nothing but positive and it's a good thing we now have procedures. It's good to say you don't know if you don't know. Overall, the planning commission has made good movement forward.

1705 Rte. 128 Property Project

VCDP Scope of Work:

M. Manka explained that the Trust has a deadline of June 1 but here hasn't been any progress on an option agreement between the River Conservancy and Trust. On May 3rd, George, Mark, Taylor, Melissa, and SE Group met to discuss the transition from Tom to Mark to Adam as the project lead, plans and revisions. M. Manka will reach out to the team regarding visual renderings. The planning commission needs to decide if they want to have a June public engagement meeting. M. Letorney suggested we put the conceptual drawings on the website so that the community could review prior to the public presentation. G. Lamphere would like the planning commission to discuss timing and also to get the information out to the public before the public meeting. M. Letorney said that there are so many unknowns at this time that it would be premature to have a meeting now.

Conceptual Plan & Visual Rendering:

M. Manka feels it is important to get the drawings to review, put up the last webinar and then have a meeting. G. Lamphere stated we need to get through the June date with the River Conservancy and the owner. We want this to keep moving forward. We need to convey that the Lincoln Brown renderings are artistic and not representative. M. Manka said the drawings will be tweaked as the project progresses. The renderings are for a general sense of how the site would look. S. Jensen wants Lincoln to follow form-based code guidelines on the drawings.

Website:

A soft launch of the website has occurred. It is linked to the town website.

Communications:

G. Gebauer indicated that a FPF post is prepared and that M. Manka had provided comments. All commissioners should go to google doc to review. In regard to timing do we wait until after June 1? G. Lamphere said there were two documents, and which one should they review. M. Manka replied that the two documents on the google doc were the same just duplicated. M. Letorney said they used the language in the website FAQs. We may want to edit the 5th paragraph. G. Gebauer replied this came directly from the CHT website but would double check the language with T. Newton.

G. Lamphere and M. Letorney support running the article as soon as it is ready, and it does not need to come back to the planning commission. G. Gebauer will send to M. Manka for posting when finalized.

Carol Winfield said thank you for working on the renderings as visuals will be helpful. She inquired if GMHFH would be working with planning commission on the street view. G. Lamphere replied that we have a good working relationship to help steer things.

M. Manka stated that if the River Conservancy decides to move forward then they have to prepare a funding application that includes conceptual plans and also take corrective action and that cleanup requires a development plan.

S. Franz asked if the wastewater was voted down by the community can any development be done at 1705? G. Lamphere replied that he did not know the answer. Everyone is aware of the timeline, the risk, and the opportunity. M. Manka stated that option agreements have contingencies. S. Jensen said the planning commission should be careful about speculating and responding to what we do not know.

Barb Peck said an email from the River Conservancy said if they were to purchase it, it would be contingent on soil and if they have to put in septic/well. G. Lamphere said that we do not have that information.

Repainting Crosswalk:

S. Jensen wanted it on VTrans' radar that the crosswalk needs to be repainted. S. Jensen and M. Letorney will work on the request.

Work Plan:

Meetings on 6/6 and 6/20. Any topics that you would like to discuss? We need to be flexible on topics as we don't know what will be ready for review. We should add time for correspondence.

G. Lamphere has a conflict in July and inquired if we should have only one meeting that month. It was decided to wait until June to make a decision.

Adjourn:

Meeting adjourned at 9:06p.m.

Submitted by,
Diane Finnigan, Minute Clerk