

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR NOVEMBER 21, 2022 MEETING
Approved on December 5, 2022**

Commissioners Present: Gordon Gebauer, Seth Jensen, George Lamphere, Mark Letorney, and Mo Reilly.

Commissioners Absent:

Also Present: Melissa Manka (Town Planner), Harmony Cism (Planning Assistant), Barb Peck, Lori Johnson, Sheila Franz, Maureen Wilcox, Emily Hackett (State of Vermont), Barb Cady, and Ira Allen.

Meeting Began: 6:30pm

Amendments to Agenda

Meeting Rules of Procedure will be moved to the last topic (about 7:00). This way, if people sign on late, they will still receive this information.

Minutes of November 8, 2022 Meeting

M. Reilly MOTIONED to approve the minutes as amended.

M. Letorney SECONDED the motion.

The motion passed 5-0.

Citizens to be Heard - *Items not on agenda*

No citizens to be heard.

Correspondence

No correspondence received.

Meeting Rules of Procedure

G. Lamphere outlined the meeting rules of procedure for the public.

Community Wastewater Project

Emily Hackett, DEC Reviewer has offered to participate in this and future PC meetings. Emily specializes in Village WW projects, overseeing the Village WW ARPA Initiative and participating in the Clean Water SRF Program. Prior to becoming a State employee, Emily worked as a private consulting engineer in the field of Public Works. The PC appreciates the support and thanks Emily for coming to meetings.

FONSI and Facility Plan Approval

The public hearing was held on October 18th. Public comment period ended on November 13.

There are 3 Clean Water State Revolving Fund steps in the process, which will be overseen by the DEC.

Step 1: Planning. Facility Plan Letter is issued.

Step 2: Design. We have a tight timeframe with the ARPA money. This is a once in a lifetime opportunity. The DEC is working on a State ARPA grant agreement with the Town. This will contain deliverables with specific dates. If these dates are not met, the funding can be rescinded or reallocated to another project. Designs will be reviewed at 30%, 60%, and 90% completion. A Final Design Letter is issued at the end of Step 2.

Step 3: Bid Processing/Construction. Spring 2024 is our earliest goal for going to construction. The Town is in a great position for the ARPA money, as we are quite far along in the process. We anticipate a 2024 construction season.

We are currently working to close Step 1. The FONSI comment period closed 11/13. While it is unusual to get a lot of comments, there were many comments for this project. A written comment responsiveness summary will be posted on the website. It should be online next week. Next, a Facility Plan Approval Letter will be issued, and Step 1 will be closed out.

There has been frustration that this is taking so long at the State level. The benefit is there are numerous check-ins and reviews with independent State experts and engineers throughout the process to ensure the project will be a success if developed. These types of projects typically take many years.

CWSRF Step 1 & 2 Reimbursement

Once the Facility Plan Letter is issued, Melissa can submit a reimbursement for Step 1 and Step 2 expenses to date. Requisitions are finished and will be sent as soon as the Facility Plan Letter is received. This will close out Step 1 and everything done with GME during Step 2. We hope to submit during the 1st week of Dec.

Project Cost Summary and Amended Step 2 ESA

Emily is reviewing the Step 2 ESA (Engineering Service Agreement), Project Cost Summary (PCS) and determining what expenses are standard versus non-standard. DEC approved Step 2 documents will be submitted to the PC for review and then forwarded to the SB for approval. The DEC process is expected to be completed in December. It will be reviewed by PC and SB in January or February. Emily is comfortable with a 12/31 deadline for the ESA review and acceptance.

It would be ideal to have multiple docs ready for the SB to sign all at once. Emily needs an Executed ESA, the PCS, and the DEC Certification Form. For the financial side, Tom Brown will need these same 3 documents as well as an amended loan application. These items should be on the PC's agenda for January, and the SB's agenda in February. Melissa will check with Amy and JB about their schedules and speak with Nanette about reserving time at a SB meeting.

Projected Timeline

JB has pulled together a revised timeline. It discusses when we can expect the Facility Plan Letter, when we hope to have the amended Step 2 documents sorted out, when we can get the design team under contract (end of February), when Step 2 tasks will occur, and a bond vote no sooner than 11/3. It takes 10 weeks prior to bond vote to meet statutory requirements (public outreach, public meetings), so this process would need to begin in late summer. There is a June deadline for the updated cost estimate. It

would be good to hold special meetings in January to get the Step 2 process moving. There also needs to be time built into the timeline to allow for DEC review (45 days).

Monthly PC/DEC Meeting and Standing Staff, PC Liaison & DEC Meeting

Emily will join us once a month, possibly every two weeks during certain parts of the project. Emily will attend the 12/19/22 meeting. She will have very limited availability in March of 2023.

A standing DEC meeting will be scheduled. Amy, Peter, JB, and a consistent Commissioner will need to be consulted for a meeting time.

State ARPA Grant

Emily, Seth, Lynnette, and Melissa discussed the State ARPA Grant. The State is still working on the grant agreement. It was determined that we can use State ARPA funds to complete Step 2 planning and engineering. The State is working on planning and engineering milestones to insert into the grant agreement. Dates for these will be set by the DEC.

Emily wonders how the NBRC defines a “match.” It would be helpful to have details in writing. There was also discussion surrounding what funds will be deemed federal vs. non-federal.

Local ARPA Request

State ARPA can be used for Step 2. There was some hesitancy expressed by the ARPA Committee and Selectboard about utilizing Local ARPA before bond votes. Melissa proposed that we revise our request and ask for \$300,000 to be reserved for Step 3 construction costs in the event of a positive bond vote. This will be proposed to the SB. Melissa will circulate a memo for the PC. The application for Local ARPA will be reviewed by the SB on 12/8/22.

NBRC/EDA Grant

On October 13, the SB executed the grant agreement. In order to receive a Notice to Proceed, we need a positive bond vote, the FONSI issued, and a contract with Greta from NWRPC for grant assistance.

Public Outreach

Communications Plan, Westford’s Future Website & December Newsletter Article & FPF Post

There has been additional background planning work from an outreach perspective. The Outreach Committee has updated the FAQs for the website. There is also a Community Project Update newsletter and FPF post which will be submitted on Monday. As the project moves forward, periodic updates will be provided in the newsletter and on FPF. The updates will include new information, more links to studies, etc. Part of the communication plan involves FB posts and blog postings. Simplified visuals will go into the newsletter and print media. Where could visuals be posted? Town Office? Library? School? Post Office? It is important to provide updates as new information becomes available.

G. Lamphere MOTIONED to approve Newsletter Post and FPF as written.

M. Reilly SECONDED.

The motion passed 5-0.

Selectboard Communications

An initial memo went to the SB last week. It gave the SB a reminder of what we are doing/why we are doing it. The 2nd memo talks about system design and layout. Memos will be sent to the SB more often than originally discussed, with the goal of a 3rd memo providing more cost information and talking more about the ESA and its importance. Ideally, we will send the 2nd memo on Monday, the same day as the newsletter. The 3rd memo is in the drafting phase and will be sent on or about 12/5/22 so that the SB can have it in advance of their 12/8/22 meeting. The 4th memo will talk about ordinance language and what the SB needs to do to review, prepare, and draft a wastewater ordinance. A summary is helpful to the SB. Memos provide perspective of the overall project and why we are pursuing it.

G. Lamphere MOTIONED to approve Memo #2 as written.

M. Reilly SECONDED.

The motion passed 5-0.

December 8th Selectboard Meeting & Future Meetings

At the 12/8/22 meeting, we will discuss upcoming actions the SB will need to take regarding the ESA. There will also be an overview of the past year as it relates to Step 1, Step 2, and where we are now. Once we have Amy and JB under contract, it may be a good idea for them to also attend SB meetings. As things start moving, Amy and JB could provide updates directly. They could take the lead in February at the earliest. Melissa will reach out to Amy and JB. Two memos will be put together for review by the PC regarding Local ARPA and the ESA. Amy will take the lead on the ESA discussion. Melissa, Seth, and George will lead the ARPA Committee discussion. Memos will be ready for review next week so that the SB can receive it a week before their meeting.

Public Comment

No public comment.

2022 Work Plan

December 5th meeting topics will include: discussion of the FONSI, we will hopefully have the Facility Plan Letter by then; a status update on Step 1 & Step 2 GME closeout; Stone project summary and ESA; discussion of the Local ARPA ask and possibly State ARPA and NBRC; 1705 Project check-in on website updates and webinar postings, and a FPF post stating where people can view last webinar and note that the project is being closed out, with an update on the completion of scope of work and amending the contract with SE. Emily has been invited to the 12/19/22 meeting.

2023 Work Plan

A meeting is scheduled for 1/16/23. A special meeting is targeted for the ESA, with a placeholder set for 1/5/23. This will be reevaluated at the 12/19/22 meeting.

Meeting Adjourned: 8:46pm