

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR JULY 14, 2020 MEETING
Approved on August 17, 2020**

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

Commission/Board Members Absent: Koi Boynton.

Also Present: Melissa Manka (Planning Coordinator), Paul Birnholz, George Pigeon, Steve Libby, and Taylor Newton (CCRPC Senior Planner).

The meeting began at: 6:31 p.m.

Amendments to Agenda

No amendments offered.

Citizens to be Heard & Announcements

No citizens to be heard or announcements.

1705 Route 128 Property

Site Control/Option Agreements

T. Newton began by stating he spoke with VCDP who informed him that site control only is required for a planning grant as opposed to an option agreement. He also noted that it could be as simple as a letter and a lease would not be necessary.

G. Pigeon said he reviewed the draft agreement and is concerned with agreeing to sell the property for the appraised value stating he believes the property requires a commercial appraisal since it was historically used as a residential-commercial property. He added that the current appraisal is a residential one and he does not believe it appropriately reflects the value of the property.

T. Newton stated that a commercial appraisal was included in the grant scope of work.

G. Pigeon said he may also have one done.

P. Birnholz asked what would happen if there were multiple appraisals with differing assessments and whether hazardous waste impacts and cleanup expenses would be considered when valuing the property.

G. Pigeon noted that the appraisal should be done after the phase 2 environmental site assessment report is completed before discussing cleanup costs. G. Pigeon added that he is okay providing site access but not locking into a price at this point since there are still many unknowns. He said timing and value should be figured out soon thereafter though.

T. Newton said he would talk to VCDP about the site control language.

Vermont River Conservancy

Steve Libby gave an overview of VRC. He said the land trust was established in 1995 and works towards conserving swimming holes, establishing river corridor easements, floodplain protections and ensuring public access to waterways. He said he understood the town's proposal and is

willing to explore different arrangements.

M. Letorney asked whether VRC would be willing to conserve the river corridor and floodplain while allowing public access as well as permit mixed use commercial and residential development along the Route 128 corridor with a drilled well or two. M. Letorney also noted that the owner would like to sell the property soon, but the project is tied to many other town projects and funding sources, which will take time for the town to sort out.

S. Libby said this is a complicated but important project and, if VRC decided to pursue the project, agreements on use could likely be worked out.

M. Letorney asked if the town and VRC would split ownership in the end.

S. Libby stated VRC would place a conservation easement on a portion of the property and convey ownership to the Town. He said the town would manage the easement. He noted that VRC would require a Corrective action Plan (CAP) and liability protection (BRELLA) enrollment prior to taking ownership.

M. Manka asked whether the town would then purchase the property from VRC for the appraised value.

S. Libby said the property would be conveyed to the town for one dollar.

G. Gebauer asked about next steps.

S. Libby answered the next steps are to:

1. Conduct a site visit.
2. Get a clear picture of the end game and develop a critical path timeline.
3. Develop a purchase and sales agreement with conditions so necessary steps can play out to ensure success. He noted that a Corrective Action Plan (CAP) development can take months up to a year.
4. Raise money for acquisition through grant, fundraising and/or foundations.
5. Conduct water access improvements.
6. Take ownership, which can occur prior to CAP approval if the outcome known.

G. Gebauer asked if the town could then convey portions of the property to a builder.

S. Libby answered that it had never been done but they would consider it and it may also affect where the funding comes from.

S. Jensen said this was a dual goal project with land conservation and low-income housing, which may help with funding.

S. Libby said he would reach out to VHCB to get a contact for the town.

G. Pigeon asked about timing.

S. Libby answered most project take at least a year, and some take two to three years.

Community Development Block Grant - Scope of Work, Budget & Application

The Commission reviewed and revised the scope of work, budget, and timeline.

Gordon questioned the 10% in kind match if the CAP work was not available to use as a match.

T. Newton said that depending on the information he receives in the coming weeks from several different programs, VRC, etc., the town may need to contribute up to \$2,000 towards the match. He also noted that they need the Phase 2 ESA prior to finalizing the scope of work and budget, which is expected in late July.

M. Manka questioned the timing and asked whether G. Pigeon would be willing to wait until the grant work and CAP were completed.

G. Pigeon replied that he needs to review the Phase 2 ESA prior to deciding on timing. He said he would like to sell the property as soon as possible as there are many agents in the family trust.

He also noted that it would be helpful if he had a firmer timeline with regards to the town's work. He said he believes the steps are to receive the Phase 2 ESA, conduct commercial appraisal, agree on purchase price, and develop a purchase and sales agreement.

Town Center Projects - Selectboard Presentation

The Commission discussed a tentative presentation plan for their joint meeting with the Selectboard on July 23rd. The presentation plan is as follows:

1. Past Work & Accomplishments – 3-5 min (Gebauer)
2. CWSRF & Community Wastewater
 - a. Status Update - 5-7min (Jensen)
 - b. Q&A – 5-7min
3. 1705 Rte. 128 Property
 - a. Status Update (ph. 2 preliminary findings, site plan, corrective action plan, site control & potable water) – 5 – 7min (Newton or Letorney)
 - b. Community Development Block Grant Application – 5-7 min (Newton or Letorney)
 - c. Q&A – 15 min
4. Line of Credit Request – 10 min (Gebauer)
5. Newsletter Article w/ Project Updates – 10 min (Gebauer)
6. Wetland Delineation Contract Approval – 5 min (Letorney)
7. CWSRF Contract Approval

Wetland Delineation Quotes

The Planning Commission reviewed the wetland delineation quotes.

G. Lamphere MOVED to approve the hire of Gilman & Briggs.

S. Jensen SECONDED the motion.

The motion PASSED: 4 – 0.

The meeting adjourned at approximately 9:04 p.m.

Submitted by,
Melissa Manka
Westford Planning Coordinator