

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR April 19, 2021 MEETING
Approved on May 18, 2021**

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

Commission/Board Members Absent: Koi Boynton

Roll Call: Melissa Manka, Westford Town Planner; Michelle Grimm, potential new Westford resident; Bill Cleary, Westford Selectboard Chair; Ben Bornstein, Westford property owner. The meeting began at: 6:30 p.m.

Westford Land Use and Development Regulations (WLUDR)-Public Hearing

George Lamphere read the official notice of the public hearing and then opened the meeting to the public. He explained the WLUDR proposed amendments, which are available on the Town's website and through this link: [Proposed-Westford-Land-Use-Development-Regulations.pdf \(westfordvt.us\)](https://www.westfordvt.us/Proposed-Westford-Land-Use-Development-Regulations.pdf)

George explained that many of the amendments have come about as a result of public input. The goal of the Planning Commission is to have these amendments approved in time for the upcoming construction season.

Ben Bornstein asked how these amendments change or have any effect on due process and do they change or alter the current zoning districts. He also asked about the potential for future zoning district changes, as envisioned on the 'future zoning map'.

Melissa Manka explained that the zoning maps are required per State statute. The future zoning map delineates possible future land use changes, but none of that will or could happen without public involvement.

George Lamphere explained that the amendments added primitive campgrounds as a permitted use in the R10 District; increased points available under the point system in the R5 District; added adaptive reuse language for existing structures; adjusted wetland buffers to be in line with the State requirements; added language allowing minor changes to non-conforming uses and structures; allow for the waiver of Form Based Code requirements for historic structures. If the Planning Commission decided to consider changes to any zoning districts, it would be with public input and would require a public vote.

Ben Bornstein is interested in keeping his property in the 'Current Use' program, but wants to make sure that due process is available and no changes will occur without public input.

Gordon Gebauer explained that no changes to any due process rights were being considered with these proposed amendments.

Gordon Gebauer questioned why the limitation for non-residential and multi-family lot coverage in the R3 District, as set out in section 232.C, is only 5% when it is considerably higher in the R10 and R5 Districts.

Seth Jensen provided some history and context to how the 5% figure came about, but agrees it is somewhat low and probably should be increased.

Melissa Manka said that there has been no development pressure in the R3 District for

multifamily or non-residential development, so the Town has not yet had to address this issue. She also provided that the footprint of most homes and driveways would fit within the 10% limit.

Gordon Gebauer suggests the limit be increased to 10% with a 1 acre maximum, and that the Planning Commission revisit this issue during the next round of amendments. He moved these changes and Mark Letorney seconded.

All Planning Commissioners present agreed to increase the limit to 10% with a 1 acre maximum.

Brad Washburn joined the meeting at 7:00 PM.

Gordon Gebauer raised the issue of whether the definition of ‘Campsite’ is workable and suggest that we look to address this language during the next round of amendments, if it seems like the language is problematic.

Gordon Gebauer and Melissa Manka explained the there will be a minor change to proposed language regarding the lot layer in which only a “garage” may be located in the Form Based Code overlay district, not any “accessory structure” as it is currently worded. See section 263.D(4) regarding garages and the related set back tables for the Form Based Code overlay. All Planning Commission members present agreed to the changes.

No other public comment was offered or received regarding the proposed amendments to the WLUDR. Gordon Gebauer moved to close the public hearing. George Lamphere seconded. All Commissioners voted in favor.

Amendments to Agenda

Need to include a discussion on how and when to contact local representatives regarding the governor’s capital infrastructure plan and a discussion on proposed ‘funding stacks’. We will address during the ‘wrap-up’ section of the meeting.

Citizens to be Heard, Announcements, Correspondence & Other Business

None.

Minutes of the April 5, 2021 Meeting

Draft minutes not yet available.

1705 RT 128 Property and Community Wastewater Projects—Step 2 draft application

Brad Washburn: The draft Step II application includes scope of work services by each of the Town’s consultants. A hydrology study yet needs to be completed to determine the maximum capacity of the disposal field. That should be completed this spring.

Question was asked if Brad’s company can prepare a draft sewer ordinance for the Town to review. Brad’s office has done these before, but he would want an attorney for the Town to review as well.

George Lamphere asked if the Step II took into consideration the potential for ledge and rock during the construction of the pipe from the Common to the disposal field. Brad Washburn confirmed that there is budgeted 2 days-worth of extra work for such purpose.

Brad Washburn confirmed that a Step II application is usually heavily reviewed and evaluated by the Department of Environmental Conservation, much more so than the PER. He would like the Planning Commission to provide him with comments and questions asap and he will then forward to DEC for its review and comments. Melissa Manka suggested the PC provide Brad with comments and questions by Wednesday April 21st, and then we send the draft to DEC on Thursday April 22nd, before we send to the SB for review and approval.

Melissa Manka is concerned whether the Town has enough staff to provide administrative assistance to carry out obligations of Step II without hiring additional staff. She asked if we can get funds for administrative assistance. Brad indicated that the ESA usually includes about 2% for administrative expenses.

A discussion ensued regarding how much time we would need for an administrative assistant. It was agreed that an average of 8-10 hours per week seemed reasonable. This can go up or down depending on the workload at the time, but seems like a good average.

During phase III, Green Mountain Engineering will do inspections and reviews and provide reports as the construction moves forward.

It was agreed that we are likely looking at 1000 over a 100-week period of time. Melissa will ask Tom Brown to ask if we can get funds to pay for someone to take over some of Melissa's work and allow her to do the administrative work required by Step II.

Step II will last about 439 days from April 19, 2021 to July 1, 2022. The goal is to get the construction phase out to bid by the summer of 2022. Northern Borders money will likely need to be spent by July 2022.

Taylor Newton – CCRPC Senior Planner joined the meeting at 7:50.

Melissa Manka asked if the PC should plan to ask the SB for approval of the Step II and ESA at the SB's May 27th meeting. George suggested asking for that time and if we need to, we can reschedule as the date get closer. Seth Jensen mentioned that we want the Step II and ESA filed by July 1, 2021 for 100% funding.

Northern Borders Regional Commission Economic Infrastructure Grant

Seth and Koi met with Liz Curry regarding an application and letter of interest. Based on feedback, it makes sense to move forward with the application. Koi will gather letters of support. Seth will work on a budget. Seth explained that getting letters of support from local property owners will be beneficial for the application. Koi will put together a draft outreach to local property owners. George pointed out that the letters of support do not need to involve a commitment from the individual property owners. He also mentioned that letters of support from the Westford Common Hall and Brick Meeting House would be helpful. Taylor Newton said that CCRPC would offer a letter of support.

The application is due by May 14th.

Melissa Manka pointed out that we need to have the SB review and approve by May 14th. The next SB meeting is May 13th. May need to ask for special meeting.

Bill Cleary, SB Chair offered that it is probably ok to ask for and schedule a special meeting as needed as the SB members are receptive and amenable to moving as fast as needed to accommodate tight deadlines.

Seth Jensen said that he and Koi can meet with the SB within the next 2 weeks. Melissa will

request a meeting with the SB and will copy Seth and Koi on that correspondence.

Mark Letorney offered to meet with Jeff Hutchins to obtain a letter of support.

Review Vermont Community Development Program RFQ & Interview Prep.

Taylor Newton: Westford has completed all of its tasks and we are now waiting to hear back from VCDP on the grant agreement for the 1705 VT RT 128 project. Westford released RFQ for engineering services. We received 5 responses. It is good to get that many responses. The PC needs to select 2 or 3 out of the 5 to interview. The interviews will occur on May 3rd during the PC regular meeting. The goal would be to have a contract in place by June 1st with whichever company is chosen.

A discussion ensued regarding the 5 responses. The consensus was that the responses of O'Leary-Burke and Engineering Ventures were not adequate and missed the target of what the Town is expecting. SE Group and Trudell Civil Engineering were the highest rated responses with mention of how SE Group addressed the scope of work from a different perspective. The 3rd response, from Dubois & King, was a straightforward approach but did not seem visionary enough to elevate them to second position. It was decided to interview 2 applicates, SE Group and Trudell Civil Engineering. Taylor Newton advised that the PC should approach the interviews with the idea that this could be the beginning of a larger project and that whichever firm is chosen for this level of work, may also be valuable for the next level.

Mark Letorney said he liked the SE Group and thought they seemed visionary and had more depth than Trudell Civil Engineers. Seth Jensen agreed that SE Group's approach was a bit different and that KAS fills in a gap that SE Group lacks.

The PC agreed to set up interviews with SE Group and Trudell Civil Engineers for May 3rd.

Taylor Newton will be the moderator/facilitator during the interviews. He will work on preparing about 5 questions in advance that the PC can ask each firm during the interviews. Each interview will last about 30 minutes. Afterwards, the PC should take about 20 minutes to discuss the interviews and make a decision.

Melissa Manka suggested that possible questions center around stormwater/culvert experience, Brownfields experience/suggestions and a community survey.

Taylor Newton suggests that the 5 questions be asked live, rather than in advance. Melissa and Taylor will work on the proposed questions and send to the PC for review.

George advised the PC members to send Taylor any thoughts or suggestions by Friday April 23rd.

Newsletter/FPF

Suggestions for the upcoming newsletter are:

Northern Borders Grant Application, RFQ interviews, Summary of PER, possible funding through the new federal American Recovery and Reinvestment Act and the PC's aggressive approach to locating funding sources. Newsletter is due April 26th at noon.

Work Plan & Wrap Up

Melissa Manka: As we move forward, we need to make sure the funding sources we seek can work together and that we don't apply for funding that excludes one funding source over another or penalizes the Town for using certain funds.

George Lamphere: project Q&A and outreach will be discussed at the next meeting, including the possibility of creating a separate funding page.

Added Items—Contact Federal and State Reps

Seth Jensen pointed out that we need to vocally communicate that we think the 30 million dollars the governor has allocated for village wastewater should remain. He suggests that we amend the IUP letter the PC sent a few months ago. Seth agreed to amend that letter to bring it current.
WLUDR

George Lamphere moves that the PC submit the amended WLUDR to the SB. Gordon Gebauer seconded. All PC members approved.

Fire Pond Issue

George Lamphere stated that he believes the SB must first look at this issue and decide if it is willing to change the current requirements and, if so, how it wants it changed. Melissa thinks the PC needs to address first. A discussion ensued and it was decided that the PC would ask the SB to weigh in on this issue and then direct the PC how it (SB) wants the regulations changed, if at all. Melissa Manka will contact the SB and the fire Chief, Steve Willard, to get them started on a discussion regarding fire ponds and the request from a local developer to allow for payment of money into a fund in lieu of building fire ponds when required by the WLUDR.

The meeting adjourned at approximately 9:25 p.m.

Submitted by,
Gordon Gebauer, Westford Planning Commissioner