

**TOWN OF WESTFORD  
PLANNING COMMISSION MINUTES  
MINUTES FOR OCTOBER 18, 2021 MEETING**

Approved on November 8, 2021

**The meeting began:** 6:31pm

**Roll Call - Commission/Board Members Present:** Koi Boynton, Gordon Gebauer, Seth Jensen (joined 6:45), George Lamphere, and Mark Letorney.

**Also, Present:** Melissa Manka - Town Planner, Nanette Rogers - Town Clerk/Administrator, Amy Marcellis - Stone Environmental, Brad Washburn - Green Mountain Engineering, JB Hindes - Birchline, Alan Huizenga - Green Mtn Engineering, Bob Bancroft - Resident, Andrew Katz - Resident, Barb Peck - Resident, Lori Johnson - Resident

**Amendments to Agenda:** Memo from Liz Curry (Grant Writer) for Northern Borders/Economic (NBRC/EDA) Development Agency grant and Agency of Natural Resources (ANR) American Rescue Plan Act (ARPA). Replace the Town report discussion with the memo review. Wastewater funding, Advocacy plan for ANR, Clean Water State Revolving Loan Fund (CWSRF)-ARPA funding - hold for the next meeting

**Citizens to be Heard, Announcements, Correspondence & Other Business:** Andrew Katz saw the Front Porch Forum (FPF) posts and wanted to learn more about the wastewater project. Bob Bancroft is attending to hear more about wastewater. Melissa shared that there is a public meeting on Thursday.

**Minutes of the September 20, 2021**

**VOTE:** *Gordon makes a motion to adopt the minutes of September 30, 2021, as amended.*

*George seconded.*

*The motion passed.*

**Minutes of October 4, 2021**

**VOTE:** *Gordon makes a motion to adopt the minutes of October 4, 2021, as amended.*

*Mark seconded.*

*The motion passed.*

**Town Center Community Wastewater Project:** The Selectboard (SB) will attend the Planning Commission's (PC) November 1st meeting. They have requested the meeting package 5 days prior to the meeting date - October 26th or 27th.

- **Bond Vote Request:** Nanette recommends that the language for the bond vote is worked into the SB's schedule. That would require that the bond language is finalized by January 10th. The bond vote will need to be reviewed by the town's attorney and public hearing is required 30 days prior to the vote. The PC questions include - how will we know we are ready, how does the draft language get developed, what is the timing of the public hearing. JB assures the PC that the bond vote language is not difficult. It should include the bond amount that is requested and that it is contingent on securing a certain level of

funding. The bond vote is asking the voters for the authority to incur debt. It can be up to a certain amount or a not to exceed amount and can be contingent on securing a certain % of grant funds, but the language should be simple enough that it is easy to communicate to the voters. Sample language will be provided by September 26th for the November 1st meeting. We will need to know if pretreatment can happen in order to inform the final costs that inform the bond language. Amy confirms that the drilling for soil testing and capacity estimates will happen before Thanksgiving. Pretreatment capacity should be determined by Christmas. Brad confirms that field work to determine mapping to connect with all users and to identify each hookup from house to collection system will begin next week. Any hookup problems will be identified by the end of December.

- **Sewer Extensions:** Extensions beyond the identified service area is beyond the current scope of work identified in the Preliminary Engineering Report (PER) that has been approved by the state (ANR). Capacity of the system and zoning will inform if extensions are possible. The ordinance needs to identify the service area and it can be done using parcel boundaries. The service area can be amended through a public process.
- **Reservation of Capacity**
- **Burying Utilities:** Since the ground will be dug up, is it possible to bury other infrastructure for future utilities? Brad explains that burying conduits for fiber optics is possible, but water piping is much more challenging. The PC should advise with Chittenden Regional Planning Commission (CRPC) about burying utilities.
- **Example Sewer Ordinance:** JB reviews the example ordinance document. She explains that some of the language is dictated by the state and engineering, but other components (connection, allocation, and fund management) are up to the community. The ordinance language doesn't need to be complete until closer to construction. A resolution could be drafted sooner to inform the voters. JB explains the components of the ordinance and each section content. She points out that is in Section 7 - #2 represents no requirement to connect. Page 8 - #5 includes the incentive to connect upon build. There is a question regarding what happens if an existing household system within the service area fails. The draft language states that a lawfully operating replacement or expansion system can happen if it is not encroaching on any wellhead zone or another parcel. Page 8 - #5 states that a new on-site system can be built. Page 8 - #6 the draft language states that the town would only require hookup when a system has failed (according to state regulatory definition) and a new system would encroach on a well head or another parcel. The state definition includes surfacing effluent, defective components, backup into the house but it does not include encroachment on another parcel or well head. Encroachment of another parcel should be included. The PC and consultants agree that this is a good start for draft ordinance language. It reflects the planning process and community feedback. Priority allocation is discussed - properties that already exist are the first priority group. Reserved capacity should be prioritized, and it could include a timeframe - if not used by a certain date it is reverted back. Reserved capacity should be considered for private properties that might want to reserve for a future addition or new structure. JB urges the town to not overcomplicate the language in the resolution. The resolution is to get information out to the community prior to the full ordinance being drafted. The resolution is to inform the community and should be easy to understand. The process for drafting the ordinance is discussed. The PC is responsible for drafting the ordinance and then passing it on to the

SB for final language and community process. It is identified again that some of the ordinance language is dictated by the state.

*Public comment:* Barb Peck would not want to provide feedback on the ordinance until it is closer to a final draft, but she would like to see it when it is closer to completion.

Andrew Katz has interest in the impact on the service area, what the capacity is, and expected cost to residents. He states that it is clear that work is happening, and he will attend the community wide meeting to learn more.

**Draft FY 23 Planning Commission Report replaced with Liz Curry Memo:** There is a question regarding the numbers in the second paragraph. The numbers are from the draft PER but does not include the engineering numbers and some of the work that has been completed. Koi points out that the numbers are taken directly from the NBRC grant application and it should be reviewed to provide a clearer understanding of those numbers. PC should get other edits to Koi by Friday. ANR's priority list is discussed - Westford is on the list. Our score is around 45 or 46, we are in the middle. The list is based on a point system and relates to the amount of grant funding possible. ANR has draft language for the Intended Use Plan (IUP), it will open back up in December. At that time, they could make changes to the allocation language but it will not impact points. The IUP identifies the distribution and use of funds. At the end of the plan the towns are identified. The next amendment in December will include next year's allocation and subsidy as well as distribution of ARPA funds. ANR has \$9 million for decentralized community wastewater. It is identified that an advocacy campaign might be needed to reinstate 50% loan forgiveness. Monthly user fee is discussed. The PC identifies that we need to get to under \$75/month to be affordable. The need to secure \$350,000 from ARPA funds will be needed in addition to CWSRF. ANR has identified that they will use ARPA funds to lower user fees to get below \$1,000/year in user fees. The PC would like to see advocacy on 3 things:

- 50% loan forgiveness for CWSRF
- \$1,000 identified threshold should be lowered to \$500 to \$750 annually
- ANR being the last to the table to provide funding is not enough commitment.

George is communicating with Rep. Alyssa Black, who has been connecting with ANR. The PC identifies that these 3 pieces are critical to moving the project forward. It is discussed whether advocacy messaging needs to go directly to Julie Moore and others.

**Public Outreach Update:** Tomorrow evening is the public meeting. It will be hybrid with support from Lake Champlain Access Television providing a live stream. The meeting will be on zoom and taped. The meeting is 2 hours long, half of it will be informational - the why and how of the system. It will then be opened to questions. Those in person and virtual will be able to ask questions. The outreach committee met with the seniors last week. John Doane joined to share the challenges that the Common Hall has faced. They were able to provide the seniors with handouts. The same handouts will be used in tomorrow evening's meeting. Handouts include the project summary, 3 maps and FAQs, and Westfordfuture.com postcard. There is a question if pretreatment will be presented. It will be referenced as a component of the system. We do need the soil investigation to pursue pretreatment and want to be thoughtful about allocation/capacity. Pretreatment increases capacity but also prolongs the life of the system and therefore is the right direction. Gordon's presentation to the seniors outlined alternatives and that there is no plan B. The properties we have are not sustainable without adequate wastewater.

**American Recuse Plan Act (ARPA):** The committee is meeting Wednesday night. The PC will need to put a request in. The committee will be working on how they will receive suggestions for the community.

**Newsletter/FPF Article:** The deadline for November is October 25th. It should include a summary on the public meeting and direct people to the recording. Information regarding the upcoming public outreach meeting for 1705 should also be included. It is decided to include 3 pieces for the newsletter - PC introduction to the existing committees, public outreach committee update on wastewater engagement, 1705 community meeting announcement.

**2021 Work Plan:** Take November 11th off. November 1st meeting packet should include example language resolution, ordinance, and bond vote. The packet should also include an updated timeline and how the Step 2 funds will be used - as well as a report from the public outreach committee. The meeting package needs to be provided 5 days prior to the meeting date. The appraiser contract for the 1705 project has been sent and the goal is to have it signed this week. By January 10th the property needs to be appraised, the conceptual plan needs to be complete, and the purchase and sales agreement needs to be in place. The PC needs to consider a wastewater application for a portion of the town's ARPA funds.

**Adjourn:** 9:08pm