

SPECIAL SELECTBOARD MEETING
December 14, 2021

Present: Bill Cleary (chair)
Dave Baczewski
Lee McClenney

Callie Hamdy
Nanette Rogers

Guests: See attached list

The meeting was called to order at 7:00 p.m. The meeting was held in person and via Zoom.

CHANGES TO AGENDA

There were no changes to the agenda.

PUBLIC COMMENT

There was no public comment.

TOWN CENTER COMMUNITY WASTEWATER PROJECT

George Lamphere from the Planning Commission was present. Melissa Manka and Julie Beth Hinds were present to give the funding update. Melissa outlined the funding received to date. The Town has been awarded a Northern Borders Grant for construction. Prior to the end of November, the Town was informed that the State was preparing to dedicate their ARPA funds which are separate to the Town's individual ARPA funds. The wastewater team made a submission for those state funds and based on that submission a funding package was put together and sent to the governor's office. It appears as though it is going to be a significant amount of money where they even questioned if the Town would even accept one of our grants as there is a cap on the amount of federal money that can be used as a match. They expect to know the amount the State is willing to offer within the next week or so and at that point they will be able to look at the construction funding and amounts received and decide which package to move forward with. It is at that point they will be able to update the financial analysis and give a more accurate tax impact based on which package is chosen.

Westford has been very clear in their communications that a monthly average user rate of \$70 was really what they felt was appropriate given the projected operation and maintenance costs. This means we need to keep the Town's finance construction under \$500,000. There is a group of people very willing to help the Town work this through and understand Westford needs things to remain modest to make this work as well as the time limitation for the spring bond vote.

Julie Beth believes we are looking at somewhere between 65-75% proposed grant funding which would be incredible. She clarified based on information from the Town Treasurer they have done the best they can to give a range of impact to the property tax, but it is not possible to determine an individual's personal property tax impact due to how complex Vermont property taxes are. This does not mean things are being done incorrectly. They have done their best to show the range of potential impact. Lee asked in the classification in the categorization of funding for something like this, ARPA funds that are directly sent to our municipality are considered federal funding as well? That was correct and it cannot be used for federal match, so we must be careful with it. The decision to use local ARPA funds is Westford's decision.

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George Lamphere explained the sewer ordinance. It is not required before the bond vote, but we do want to keep it ahead of us as there is language in there that will need to be finessed. The key thing about a sewer ordinance the issue is would it be required to connect or would connection be voluntary. We do not have any reason not to adopt a sewer ordinance unless there is a sewer system to regulate. The Planning Commission and Selectboard had previously gone on record to explain that connection would be voluntary in the case for Westford. The engineer has met with everybody that has wanted to meet within the service area, so the team has a better basis for the final decision and overall costs.

The other piece of the ordinance that will be important to work through, assuming we go to positive bond vote, is the allocation of reserve capacity. Once we know the preliminary full disposal capacity at the Maple Shade Town Forest, of which they are expecting calculations on by the week's end, and when we know the timeline for the voluntary connections, then we will know how much unallocated capacity is available on the system. The ordinance decides how the community gives out that capacity and how much to reserve for future use. This is not a wastewater treatment plant that would have huge capacity for lots of development, there will be implication for some additional housing units and/or higher capacity of waste for existing users such as the store, Common Hall, etc. We can both get complex with our capacity allocations or go off on a first come first serve and that will have to be thought out with the future of the village center area in mind. Time wise, it would be good to have an ordinance roughly a year from now. It will need to be an object of study and work almost immediately once we know if we are going forward with the system or not.

Pat Haller was present and asked if there was a precedent for withholding a certain percentage of the capacity for unknowns like contingencies, etc. Julie Beth explained yes, generally we do want to know that we can connect properties where an emergency could occur. This is not a big service area so she does not think it would be more than 5% capacity, but it is not a bad idea. There is also a buffer built into the state environmental protection rules. It is very unusual that we put out the exact full capacity every day. Roughly 3-5% holdback is a good conservative rule to go by.

Carol Winfield was present. She asked if there would be an ability to estimate potential growth after the current interest in use estimate is completed. For instance, if everybody in town who says they are going to sign up does, what is the potential for growth after that? One of the concerns for residents in approving wastewater is that it would open the door for a lot of development in the village. So, what can be done to calm those fears? Julie Beth explained that is another excellent question and it is reasonable to ask. Right now, the quirks of doing wastewater system are that commercial systems require a lot less wastewater capacity than residential. They will be able to show if they are a certain amount and everybody that says they want to connect does as do the civic buildings we can then calculate and update the numbers on what would be possible development wise for both commercial and residential development. If there's real concern about the pace of development the ordinance could limit the number of connections per year, state statute does allow this, but this can make it difficult for people with certain projects that could benefit the Town. Alternatively, it buys the Town time to look at design issues, etc. Just because you have wastewater the Town's zoning restrictions would not change and Westford has restrictive form-based code in the village center. The reserve capacity scenarios would be known in a couple of weeks, but Julie Beth reiterated that the zoning we have is just as important to future development.

Melissa explained in the draft example ordinance they do have priorities of, in order: hooking in failed systems, serving what we have currently, and any new uses. That would be based on what capacity we have, and we can show that in different ways in what that would mean for additional development, but since this is an in-ground leach field the capacity is finite. Pat Haller pointed out that many of the "new development" may be existing residents that want to add on to their properties such as mother-in-law suites and other ways they may want to use their property.

George Lamphere touched on the financial analysis and reiterated they will be able to get better numbers when they get the final numbers in from the state regarding their funding sources. Julie Beth clarified they have estimated the impact on the town tax rate based on the 2021 Grand List, but that does not affect the school tax rate. The Town of Westford would not begin repayment after the first fiscal year after the construction is completed and certified. That would potentially put our first payment in FY'25 at the very earliest.

Seth Jensen was present. When this was first talked about by the Selectboard, the Planning Commission made a commitment that the only way this project works is if its affordable for both the Town and residents. Looking at the demographics and looking at affordability it was important that the taxpayers not shoulder both the debt from this project and the Jackson Farm and Forest project, which we will have paid off this fiscal year.

Joe Franz was present. He will be interested in how the Selectboard will price the user fees for multiple units. Julie Beth explained that once we have those capacity numbers and funding package, we will be able to calculate costs per gallon. If there is interest in making the costs more affordable for apartment units, etc., the Selectboard has the power to do that. Bill recalled that a year and a half ago they had talked about metering and smart technology to find out how much flow there was from an individual residence and that went nowhere. George explained we looked at a grant to do that, but we were not awarded that grant. It is not off the table, but it is not an active pursuit.

Gordon Gebauer was present. He briefly explained the timeline for the bond vote that would potentially occur on March 1, 2022. They need to know by the end of the month the maximum amount needed to support for the construction. They hope to have a financial grant package from the State and those final construction costs including pretreatment.

1705 ROUTE 128 PROPERTY PROJECT

George Lamphere was present to discuss the scope of work and timeline. The scope of work for 1705 as it relates to our Community Development Block Grant is that we are making good progress. There was strong turnout at a meeting last night and lots of survey results to go over. They had provided three draft development plans and got good feedback on those including that the density was too high, so they have scaled it back and are looking at alternative concepts. Going into January they wanted to do a more final conceptual plan to present to the community, but they have taken a step back and will have a meeting presenting another draft conceptual plan to the community for feedback. They are still pushing strong to continue with wrapping the project up by mid-summer 2022 as some of the funding is tied to that schedule. They are very conscious about the interplay with 1705 with wastewater and how they need to do a better job on how they present what the project is and is not. A lot of the survey results shed light on the work that still needs to be done in communicating what the project is.

The funding partners had expressed interest in participating regardless of what happens with wastewater, so they are very open to many possibilities with the project. The Vermont River Conservancy has a deadline in January where they need a conceptual site plan to include in part of their package to apply for funding. They will find out in April if they get the funding or not. If we do not meet that cycle, we do not know what will happen and the property owners are more willing to participate if things happen sooner rather than later. Melissa added it is multi-faceted and it is a complex property, so it is a matter of how long the property owner is willing to hold the property for us, when funding cycles come up, etc. George clarified that the Planning Commission has no interest in purchasing the property, which is something that is between the Vermont River Conservancy and the property owners.

Barb Peck is confused that the River Conservancy must obtain financing, but they also said the River Conservancy would buy the property directly from the Pigeon Trust. What is the hold up, why isn't the River Conservancy just going forward and buying the property? Melissa answered that the Vermont River Conservancy (VCR) must get funding so with the next funding cycle the applications are due Jan 10, 2022. There are a number of things the VRC must submit to the VT Housing and Conservation Board such as an appraisal and preliminary site plan and their vision right now is dual affordable housing and river access.

Carol Winfield asked why VRC will not move forward with trying to purchase the property until there is a plan with what they are going to do with it. George clarified it is a conceptual plan and that the partners are willing to work with the Town because everybody that is involved with the project, including town residents, want to have a combined agreed vision for what the project could look like. Nobody wants to get into a project that is fraught with discontent so the time they are spending now is to find common ground on what the community and partners would like to see there and present it for feedback is desirable. The plan that gets submitted and agreed upon is a conceptual plan, it is not a permanent plan. It is years away from full engineering designs, etc. It is just what does the community wants and for what the partners able to get funding for. Bill thinks the most important thing he heard tonight is that based on the survey results the Planning Commission and partners have been very willing to go back, and redesign things based on the feedback received and he believes they are going in a direction that should appease people's concerns.

Pat Haller explained when the Town won the grant for the Jackson Property they applied to the same funding source, the Vermont Housing Conservation Board and therein lies the marriage of what you need to do to win a grant like this, it is the housing aspect combined with conservation. That is what is happening here. We cannot conserve competitively grant wise unless it also includes some housing and that is the winning proposal to get that to happen.

Barb Peck asked if somebody could explain to her the difference between a conceptual plan and a final plan and how much a plan can vary from a conceptual plan. Melissa explained the scope of work the VCDP grant was for \$60,000 so ultimately, they prioritize and see how far they can get. That includes getting an appraisal and getting that conceptual plan after working with the public. Then an engineering firm will begin doing as much of the engineering as they can taking into consideration remediation, stormwater, landscaping, erosion, etc. They will do as much basic engineering as they can, approx. 30%. Part of that scope is a property survey and platting out how the property would need to be subdivided to move things forward because VRC would purchase the property and then parcels would be doled out for \$1 to our other project partners as well as the Town. There is only so far \$60,000 will take us. It will be clearly defined based on the concept, but additional work will need to be done. Melissa further

clarified that the conceptual plan they get to with the public steering committee will be utilized to begin the engineer work and to start platting out the property, however they will hit a ceiling how much money they have. Additionally, as the property starts getting cleaned up unforeseen things could come up. Things will not change drastically from the final conceptual plan. George Lamphere said it is worth noting that whether you are a town or private business, any construction will have to follow the current zoning and form-based code and that is currently the biggest restriction on the property. The conceptual plan will take that into account but there is leeway in the zoning regulation that will allow for variations. A volunteer has offered to provide conceptual 3D renderings from a street view at the upcoming January meeting.

Mark Letorney was present to talk about the results of the survey. He was happy to see they got over 330 responses and community members all reacted to the proposed scale of the project. Many thought the proposed density needed to be dialed back, this is something the Planning Commission has faced for a long time and one of the advantages of VRC and Green Mountain Habitat is that they were very respective of our form-based code and were willing to dial back the project to allow a more receptive vision from the town residents. In general, the survey reflected Westford's intention for more of a green space with housing, opposed with housing with access to the river. He feels the 3D renderings will be a huge benefit because the footprints of what things look like from above can be deceiving. Bill feels the people have spoken and its clear to him the Planning Commission is listening.

George added that something they have discussed since the survey results is the question of a new town office. There are significant constraints with what we have now but looking at what a future town office would look at is nothing they are able to take under their wing at this point. All they can do is think about what kind of greyed out area might allow for a future town office whether it be expansion or rebuilding. They will represent that on their next draft concept. Any feedback now or in the coming days, weeks months is welcome but its not a priority right now. Mark expanded and asked the Selectboard to begin thinking about a timeframe that works best for them regarding if we expand the facility or replace the facility. That is an important conversation to have.

Carol Winfield thinks it is important to be sensitive to the fact a lot of folks in town when the entire subject of 1705 changing hands first came up the town office and potentially post office were a couple of the first ideas that were put forward a lot of people embraced. How come all of a sudden, it is not part of the discussion? Mark answered that the need for the town office is what caused them to approach the Pigeon Family Trust and that involvement with VRC and Vermont Housing Conservation will allow them to have those properties at a low cost and may allow us the space to expand or replace the town office. Maybe they do want to create a space and invite the post office. This is the first phase of the project which is acquiring the land. Melissa added that expansion of the town office and the movement of the post office are high priority. This grant to collaborate with our partners that will help us acquire the property pays for planning the project. The Town's interest is getting more land which is a Boundary Line Adjustment which would allow us to bring in more public services. It is not planning exactly how it would look, but rather moving the municipal boundary so we can really do that planning and have a lot of wiggle room.

Seth Jensen thinks the public needs to understand that this conversation has shifted quite a bit. When they began talking about this project in 2019 it was a different world in many ways. The more research done the more it seemed inopportune for the Town to put forward funds to purchase the property and instead collaborate with the partners. Collaborating with the partners allows a level of flexibility. A thing that constrains the current town office is the leach field that exists in the parking lot so we cannot expand the building in that direction. So having the facilitated process with the partners lets us create more flexibility for the conversation when it happens. For the record he understands the post office comes up as a second highest priority after access to the Brown's River. The Town does not have complete control over where that goes, but people do want to see the post office back in the town center. It will be a long-term conversation. A lot has happened since 2019 and they will try their best to update everyone.

Ira Allen knows there are legal issues, financial issues, etc. He thinks if we stand back one of the most important things in his mind is that we do not exclude an adequate solution for enlargement or replacement of the town office. The town office function and layout belong on the town common, and he believes that is a very basic thing. George thanked the Board and public for their time. It is humbling and fun to be involved in such a constantly involving project where the community comes together.

Seth Jensen thought that something when we get to the town office discussion when we get there is that unless things change, we are not in a community that is grant eligible so our best funding source would be a community facility loan. They are willing to consider lease agreements and one of the problems with how those are structured is that they do not necessarily understand a community's ability to pay is based on their grand list. There are issues with being a landlord, etc. But as we are considering how to make a new town office affordable, that is an option we can explore but needs to be explored in detail.

MINUTE CLERK REQUEST

The Planning Commission is requesting the addition of a minute clerk in their budget.

ADJOURN

The meeting adjourned at 8:47 p.m.

Respectfully Submitted,
Bill Cleary, Selectboard Chair

Callie Hamdy
Assistant Town Clerk/Minute Clerk

GUEST LIST

Barb Peck
Sheila Franz
Joe Franz
Ira Allen
Carol Winfield
George Lamphere
Melissa Manka
Mark Letorney
Julie Beth Hinds
Paul Birnholz
Katie Harris
Lori Johnson
Gordon Gebauer
Erin Ramsey
Seth Jensen
Pat Haller