

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR MAY 3, 2022 MEETING**

Approved on May 16, 2022

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

Commission/Board Members Absent: None

Also, Present: Melissa Manka (Westford Town Planner), Diane Finnigan (Minute Taker), Mo Reilly, Andy Love, Barb Peck, Joseph Franz, Sheila Franz, Ira Allen (joined after executive session), Lori Johnson (joined after executive session), Amy Macrellis (joined after executive session), Peter Lazorchak (joined after executive session), Maureen Wilcox (joined after executive session), Eric Ford (joined after executive session), Carol Winfield (joined after executive session), Pat Haller (joined after executive session), David Gauthier (joined after executive session)

The meeting began at: 6:31 PM

Amendments to Agenda: None

Citizens to be Heard, Announcements, Correspondence & Other Business:

Andy Love – no comments

Barb Peck – said that she and Carol Winfield had been in touch with River Conservancy, CHT and Habitat for Humanity. She wants to know why the planning commission did not show the plan for a duplex at 1705. This is not the same plan that was presented. The planning commission was unfamiliar with Barb's statement. M. Manka responded that the duplex plan was not site specific and that there had been four different plans to review.

PC discussed scheduling a special meeting to discuss candidates with a recommendation to be sent to the select board. Meeting scheduled via zoom for 9:00 a.m. Friday May 6.

Interview (Executive Session):

G. Lamphere MOVED to enter executive session at 6:43 PM.

M. Letorney SECONDED the motion.

The motion PASSED: 4-0

Gordon Gebauer, Seth Jensen, Mark Letorney, George Lamphere, Melissa Manka and Mo Reilly were present.

G. Lamphere MOVED to exit executive session at 7:11p.m.

G. Gebauer SECONDED the motion.

The motion PASSED: 4 - 0

No actions were taken while in executive session.

Community Wastewater Project:

Draft Step 2 Engineering Services Agreement (Review & Discussion):

Amy Macrellis and Peter Lazorchak from Stone Environmental were both present via zoom. Stone Environmental continues to work towards picking up where Green Mountain Engineering left off. Amy wanted to know if we wanted to share and discuss the 67-page report she had sent to the planning commission. It was decided not to go through this page by page but discuss in general.

The Engineering Services agreement needs to fully document where GMT left off. Most of the preliminary work is done but the Topographical Survey needs to be finished.

The ESA needs to be updated by Stone to include details such as rate and insurance info.

To fully understand what is done and what needs to be done for a final design we need input from Jeff Fehrs on what will be required to restart Step 2 work.

M. Manka recently spoke to Jeff and we are ready for the 30% meeting. Plans look good and we need a meeting so questions can be answered regarding the Step 2 ESA scope of work. In 1 to 2 weeks, we will meet with Jeff and hopefully within a month we would have his assessment for 30% completion.

S. Jensen stated that the contract with GME had included two contractors and he asked if these will be kept. A. Macrellis responded that Julie Beth will be kept along with non-Stone contractors. These included Birchline, Harkin, an unspecified flooring contractor and an unspecified electrical consultant and a possible wetland delineation contractor.

M. Manka stated we should re-visit additional work costs before an amendment process. M. Manka asked whether Stone would reach out to Julie Beth with our vision to keep team and update step 2 subcontractor costs, if necessary? A. Macrellis responded in the affirmative.

S. Jensen requested a breakdown between clean water and NRBC (Northern Border Regional Commission). Do we need to separate the disposal fields from the collection areas? A. Macrellis responded that there are two bidding processes. One is NBRC with EDA funds for the control station to the field. The second is ARPA with the clean water funds. If the ARPA grant is accepted, it can be used for non-construction items and can be used immediately for wastewater related work

G. Lamphere asked how much Stone would be involved with expectations such as timelines, milestones and information. A. Macrellis responded that they will continue to navigate the

same way as GME or we can try new strategies. The scope of work is still in progress and we can still alter and edit the ESA as it is currently silent on specifics on meetings and engagement. This needs to be clarified. It was discussed if we should re-engage property owners as the survey work is not completed but we should wait for the topographical survey and utility work first.

It was discussed if Stone would be the project manager or would they contract for someone to manage the project on location. At some point a project manager will need to be onsite. P. Lazorchak responded that the town manages the funds and grants. Stone will manage subcontractors, will put out to bid and provide some construction oversight. It needs to be discussed further about the project manager. M. Letorney asked Peter what his concerns were. P. Lazorchak responded that he had no major concerns yet. He noted that there were a lot of people and personalities and still many details to work out. G. Lamphere noted that the PC will need to decide on who and how to manage the project from this point forward. He asked if there was something to include in the updated ESA for project manager tasks on Stone's Side. A. Macrellis will investigate adding. P Lazorchak responded that additional services would require written authorization. This refers to #17, #20 and #22 which relate to the O&M and what gets put in place. A lot of these answers will be put into an amendment. These are not needed right now. PC noted that they wanted to make sure that as-builts and O&M manuals were delivered.

G. Lamphere asked what the next steps are. The next steps include comments to the documents that A Macrellis emailed to PC and a meeting with Jeff. PC will send comments by the end of the day on Monday, May 9th and on Tuesday M. Manka will send to Stone.

A Macrellis updated the group on the capacity determination from the indirect discharge program. She will get a preliminary update from Brian Harrington.

PC will review with DEC the draft Step 2 ESA, send to select board to approve and then send to Jeff and Tom Brown.

1705 Rte. 128 Property Project:

Process and timeline (Status Update & Discussion):

G. Lamphere provided an update on the status call with SE and CCRPC. VRC and the owner hope to enter into an option or other purchase agreement by June 1st. It was noted that Adam had replaced Mark, who had replaced Tom, at SE. It was agreed that it is best to wait till after June 1st before scheduling the next public engagement meeting.

S. Jensen noted that there is a continuity ripple effect of the pandemic affecting the workforce. Hopefully, some policy changes from the state could bring some stability.

Brownfield (Status Update):

M. Manka stated work had been put on hold due to the weather, funding and BRELLA requirements. On 4/21, the state approved the VRC's BRELLA application which released ACCD funding to complete PaH contamination delineation, however overall brownfield funding is dwindling to complete other necessary tasks.

With the ACCD funding conditions met, LE Environment was approved to move forward with PaH delineation process and an SSQAP was sent to the state for review and approval

Work that needs to be completed is as follows: PAH delineation, PCB inventorying and testing of the residence and the second underground storage tank tucked beside Route 128 needs to be removed and any associated ground contamination cleaned up.

M. Manka stated that PCB testing is a new required for any structures to remain on a site as part of a CAP. . BRELLA is a state program that provided liability protection for purchasers and owners. It was noted by S Jensen that no taxpayer money had been spent to date and one tank had been removed.

S. Jensen questioned that any home of that age would likely have lead paint and PCBs. Based on the outcome of an environmental assessment of the dwelling, a determination would need to be made regarding who, how and the funding sources available to preserve the home. Keep in mind that a private purchaser may not be required to follow the same rules as the town and/or non-profit. The property owners have continued to be flexible and we need to continue provide available resources to the homeowner and keep the doors of communication open.

G. Lamphere noted how impressed he was with the progress of identifying issues and how the owner continues to work with VRC and CCRPC. We've accomplished quite a feat in the past year. We need to continue to be patient with this work.

Conceptual Plan & Visual Rendering (Status Update):

M. Manka met with SE Group (Adam and Jake). Some changes are needed to better clarify the conceptual plan for the public. Working with Lincoln Brown on the visual renderings. The renderings will be 3D and are an artistic visualization of what the site could look like. We hope to have a draft of visual renderings by end of May for the steering committee to review. Then to present to PC at a June meeting prior to the public engagement meeting.

G. Lamphere emphasized that these renderings are artistic renderings and whoever purchases will be responsible for the final site plan, what the buildings look like and what size they are. Any development will need to follow the form-based code. The drawings will not show details, but rather focus on form and massing. The town is not the master developer. The 3 November sketches were not proposals but to generate discussion. This property is privately owned and the decision of what happens to it will be made by the property owner. Please keep in mind that we should not make demands on this property owner that we would not put on others.

G. Gebauer explained how we go to this point. The property being discussed is the Pigeon Property. The parents passed away and the children took over. Pigeon Trust would like to sell the property. The PC discussed how to work with the landowner and improve the town. If we wanted to leverage the property, who would we partner with? VT River Conservancy provides river access. VHCB is willing to fund the River Conservancy but requires conservation and housing. If this were to go forward, we would get land to use for an expanded municipal building, river access, brownfield remediation, stormwater management and affordable housing. If the project does not go through any future owner is free to develop the property however they choose provided it meets the form-based code.

C. Winfield noted that there is a misconception the plans in November were the PC plans. PC responded that they took public input and came up with a smaller building.

Webinars:

Webinars have been a lot of work, we've gotten comments. How many revisions are necessary?

M. Letorney said we can make changes. We have gotten good input on how to improve. We need to get it up. We should focus on the needs and benefits of the project, its cost and how it relates to wastewater. Comments indicated concerns on the #2 module and how the community development grant worked. Maybe a post on FPF would be better?

Module four is not done because it presents the revised conceptual plan and visual rendering, which are not completed. We got feedback from the community that we could do a better job in explaining. The PC reviewed and was ready to hold a public engagement meeting on April 27th, but this did not happen due uncontrollable circumstances regarding presenter attendance. We can and should be advertising the webinars. We could launch now with a soft launch and add to the site later.

New Website (Content Protocol):

G. Lamphere stated that the new website is a work in process and will always need updating.

M. Manka asked if we should put content creation and review on the agenda on an on-going basis? G. Lamphere noted that micromanaging slows the process down.

S. Jenson agreed that it is important to make information available and further editing can come later.

M. Manka said she was worried about how much staff time would be required on website content if the site were to branch out into detailing side projects. And how much of the content needs to be reviewed by the PC?

M. Letorney indicated that we need to explain how we got to different points with the website/webinars and links.

After some discussion, M. Letorney stated he would work with G. Lamphere and Manka regarding content and M. Manka would upload the site to the town website. M. Manka will do this work next week.

FPF Articles (Revisions and Posting Schedule):

G. Gebauer will work on by next week.

Public Engagement Meeting (Scheduling):

There is no schedule for this. M. Letorney shared it is possible to obtain public comments via the website and that we are not committed to a public meeting. Seth said it is important that we make sure everyone has a way to provide input and for some folks web only would be a barrier that would need to be should addressed. G. Gebauer suggested that a public meeting would be more helpful, and it would offer a better presentation than doing it online. All planning commission members felt an in-person meeting was valuable. They further noted that public engagement was not required but rather the planning commission was taking extra steps for community input. M. Manka shared that scheduling is be complex due to the number of individuals/organizations necessary to conduct a hybrid, live streamed, recorded meetings for this project. Pat will check with the Westford School on any lock-out dates when the gym would not be available.

Other Business:

W. Doane asked what is affordable housing? S. Jensen responded that it is housing for an individual whose income is no more than 30% on all costs up to 120% AMI. Moderate income is 80%, low income is 60%. The target median income is \$50,000 - \$58,000. CHT also does 100% AMI for home ownership. W. Doane said she appreciated the answer and stated she believes visual graphics of project, timelines and costs would be helpful in bringing understanding to a broader spectrum of individuals. She was also concerned about the septic for the office and library and that there was no Plan B that would address the town's current and future needs. When the septic goes there is nothing, we can do to solve the issues at hand. This is a great opportunity that will address the wastewater problem and allow the town offices to expand. Thank you for including the public in the private property decision.

P. Haller stated that private ownership and PCB removal can be costly as his was around \$30K with state regulation and there were no funds to help. It's a big problem with a high cost in our state.

C. Winfield reached out to Habitat for Humanity, and they sent photos of the first suggestion for a 2-story duplex. GMHfH only builds units for sale, and they decide who gets it. She is also concerned about no plan B for wastewater and why is there no plan B? M. Letorney suggested

we stick to factual findings and there is no place for septic for the office. S. Jensen has worked on-site rehab and is familiar with the issue here. The best fix would give less capacity than the current staff needs, would put our groundwater and potable water at risk, and would greatly reduce parking for the library and town office. . M. Letorney also commented that it would not add needed capacity. The planning commission stated they have investigated the Town Center Area as a whole and identified all the capacity available on municipal and non-profit owned property. a

D Gauthier had no comments.

L. Johnson said a lot of studies for 1705 have been done and a lot of work on brownfield and stormwater. Citizens have had no say. Horrific amount of money and effort to work on this project (conceptual plans). It will not work with GMHfH because they will not build. Why not put effort into town office as this is a more important thing to do. G. Lamphere stated we need additional land before we can expand the office. This project has been funded through federal and state grants. S. Jensen commented that GMHfH has been participating with the steering committee and an email from Carol helped clear up miscommunication.

B. Peck wants to know what is in place for septic now at 1705? S. Jensen stated this is a private residence and is believed to be tied into the septic to the town office. S. Jensen said the commission is not investigating and acting on the existing system. The planning commission does not want to create issues or look for problems that could result in violations but rather solve ongoing, broader issues. That privacy is a right of the private owner. G. Lamphere stated it is not the planning commission's role to investigate private citizens' septic systems.

Correspondence, Communications, Minutes of April 4 Meeting, Work Plan:

Due to time running late, M. Manka suggested we postpone these items until the next meeting. All planning commissioners agreed.

Adjourn: Meeting adjourned at 9:44 PM.

Submitted by,

Diane Finnigan, Minute Clerk