

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR July 18, 2022, MEETING
Approved on August 1 , 2022**

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

Commission/Board Members Absent: Mo Reilly

Also, Present: Melissa Manka (Westford Town Planner), Diane Finnigan (Minute Taker), Barb Peck, Ira Allen, Lori Johnson, Maureen Wilcox, Ann Pigeon, Pat Haller, Joshua Smith, Juli Beth Hinds, Peter Lazorchak and Carol Winfield.

The meeting began at: 6:32p.m.

Amendments to Agenda:

None currently.

Minutes of the June 20, 2022, Meeting:

Diane will make any needed changes and submit to Melissa.

G. Lamphere MOVED to accept minutes as amended.

S. Jensen SECONDED the motion.

The motion PASSED 4-0.

Minutes of the June 28, 2022, Meeting:

G. Lamphere MOVED to accept minutes.

M. Letorney SECONDED the motion.

The motion PASSED 4-0.

Meeting Rules and Procedure:

G. Lamphere discussed that everyone in attendance should be familiar with the rules of procedure. He indicated that it was important to the PC that we allow time for comments, and we will do our best to preserve time for this. We do ask that you limit your speaking time to allow for everyone to have a chance to talk and if time allows, we will return to you.

Citizens to be Heard – *Items not on the agenda:*

Carol Winfield had a question on 1705 that she agreed to table until we got to that section.

Correspondence:

None currently.

Community Wastewater Project

Step 2 Scope of Work and ESA:

P. Lazorchak from Stone Engineering joined the group. He reviewed the preliminary design phase, the final design phase, special services, additional services, and the preliminary budget known as exhibit J with the PC.

The PC will be reviewing and approving the draft ESA for submission to Jeff Fehrs at the DEC for review. It will then come back for selectboard review and approval.

G. Lamphere discussed when PC and Stone would sign the contract. It will be done once the ESA is approved by eth Selectboard and State. The Step 2 loan will be amended at some point as well. M. Manka stated that if there are no outstanding items, we should approve it in draft and send to DEC then SB then back to DEC for final approval. G. Lamphere suggested that we submit the ESA and loan amendment application together and get it to DEC as they have been slow to respond.

G. Lamphere asked if we felt that the town need to formally assign a project manager. It is important that contractors have a point of contact. J. Hinds indicated that currently M. Manka and town treasurer were the line of succession for project management. P. Lazorchak said that the engineer will appoint a project manager and it will be someone familiar with the project.

G. Lamphere inquired if the 10% contingency was enough. S. Jensen also asked about this. P. Lazorchak indicated that it would be best to bump it up to around 20% on top of the standard 10% due to inflation.

Exhibit J-Discussion:

M. Manka asked if J. Hind s would be working on the ordinance the with backup of Stone. P. Lazorchak said this should be changed to state that.

M. Manka said # 6 of final design will I need to include building permits and access permits for town property too.

In special services, do we need to put something in on brownfields. P. Lazorchak said he carried some funds for brownfield work under special services 2.1.

G. Lamphere asked is there a way we can anticipate any items that we have not budgeted for? P. Lazorchak indicated that they tried to think of all scenarios. G. Lamphere asked what role Stone will play in selecting a contractor. P. Lazorchak said this would be done in Step 3 of the ESA. We will help when it goes out to bond. G. Lamphere said it would be helpful to have some clarity on the lines between Stone and Birch line.

Budget discussion:

P. Lazorchak said they put realistic hours in the budget. The next steps are to continue the discussion with DEC and get feedback. Subcontractors will include wetlands, soil probing, archaeology, and electrical design.

M. Letorney asked what constitutes an hour of labor and the answer is 60 minutes. Is the budget based on a 2024 construction period? P. Lazorchak responded that it was. M. Letorney expressed concern that we had 2022 fees in the budget and that by 2024 inflation numbers could be significantly higher P. Lazorchak stated that there are formulas in place to account for an increase in cost. Does P. Lazorchak eat the inflation? P. Lazorchak replied in the affirmative. G. Lamphere stated that the PER we have from January 2022 from GME does not reflect current economic pressures. We need to have numbers we feel confident in. P. Lazorchak said that the costs would be looked at early on. G. Lamphere stated that we need these numbers by the end of the year. J. Hinds said the numbers will change, they cannot be locked, and it is expected to have the numbers change.

M. Manka stated that the hope is that this will go to bond vote at the 2023 town meeting. P. Lazorchak reviewed the anticipated timeline. In 2022/2023 we will be working to get everything together for the bond vote. Realistically 2024 or 2025 is when the project would go to construction. S. Jensen offered that its ok to have a pessimistic timeline, but we should try to get things done earlier. G. Lamphere would like to sit down with the engineering firm to get clarity on timelines.

S. Jensen asked that enough hours be in the budget to include a site visit with VTrans.

G. Lamphere asked how this budget compares to GME's budget? Do we think state will be agreeable? P. M. Manka did provide DEC with a final accounting when GME closed. G. Lamphere asked if P. Lazorchak would take the lead role when this goes back to the state? P. Lazorchak stated that it might not be appropriate for Stone to take the lead.

G. Lamphere MOVED to submit the draft ESA as amended to DEC for review.

S. Jensen SECONDED the motion.

The motion PASSED 4-0.

G. Lamphere reached out to J. Hinds to investigate taking on more of a role in the project as a consultant contracting directly with the town. We would need to explore this more with the state. Specifically, whether her services would be covered under step 2. J. Hinds has expertise in this area and would be instrumental in helping with the financial aspects of the project, working on the wastewater ordinance, community engagement and as support staff. Before proceeding we need to check with DEC to ensure that this would be fully reimbursable.

M. Letorney thanked J. Hinds for offering her services. M. Manka asked if current and previous bond vote assistance would be included? J. Hinds said yes. G. Lamphere asked if all support would be remote? J. Hinds replied yes to the above except for some travel from Waterbury. J.

Hinds concluded that she would like to advance discussion with the state to see if we can move forward.

Communications:

We are currently in a holding pattern waiting for the state.

P. Haller stated that S. Jensen had brought up the issue of ordinance policy versus formal language on He suggested the town provide best estimates and ordinance policy as it might be premature to go to vote with both in final form. J. Hinds indicated it would be better to have ordinance development in process sooner rather than late.

L. Johnson asked if a decision had been made on wastewater alternative and it was agreed that a final decision had not been made.

J. Smith asked if we knew how many houses, or lots have signed on to the wastewater. S. Jensen said he thought around 96% of property owners wanted to connect.

ARPA Committee:

The ARPA committee has a meeting this week. There are two Phase 1 applications from the planning commission with the committee. Manka cannot attend the July 21st meeting and G. Lamphere is looking for a volunteer to attend. G. Lamphere is a committee member and is worried there could be a conflict of interest if he is there in dual roles. He will confirm with the ARPA chair and S. Jensen will see if he can arrange his schedule to attend.

M. Manka stated that if wastewater moves forward how are we going to plan for a Phase 2 application. G. Lamphere indicated that town staff will need to participate in the process if it moves forward.

Zoning Administrator and Planning Assistant Positions:

M. Manka announced that Harmony Cism accepted and started July 6. She is currently in training, and it could be several months to a year before she is up to speed. There are no training documents for her to learn from beyond VLCT handbooks. G. Lamphere expressed his appreciation for the support of the selectboard.

1705 Rte. 128 Property Project:

G. Lamphere announced that the project was at substantial risk of being discontinued. The biggest issue is the appraisal. The two parties do not agree on the appraisal. PC is working to bridge the gap between the parties and doing all we can for the project but there is risk of it not moving forward.

M. Manka discussed that the revised conceptual plan received. There were no changes to the actual conceptual plan but there were minor changes to how the building program was depicted. The plan is the same as the previous revised plan.

The first drafts from Lincoln Brown on visual renderings was received. They look good but need to be reviewed for form-based code compliance. It was decided to wait to review the

renderings until we know outcome of landowner and VRC discussions. M. Manka noted that we do need to go through this process to fulfill our grant contract. S. Jensen interjected that introducing plans could be confusing to the public. G. Lamphere suggested that we table this until we hear from the private parties.

1705 Communications:

J. Smith asked what is the towns involvement? G. Lamphere responded that the VT River Conservancy is interested in purchasing the property with Vermont Housing and Conservation Board funds and then the property would be subdivided for housing, public access to Browns River, and for expansion to the town offices and to install adequate stormwater treatment for the towns common area. M. Letorney offered that there was a website with information.

C. Winfield acknowledged that her earlier question had been answered.

Newsletter:

The next newsletter is due on 7/25/22. After some discussion on what to put in the newsletter, it was decided that G. Lamphere would draft an article for the issue.

2022 Work Plan:

Next meetings are August 1 and 15. After discussion, it was agreed to make these meetings shorter due to reduced staff resources.

- Numerous items related to wastewater and possibly the 1705 project
- Discussion of strategy to get DEC to act on documents.

Regular meeting ended 9:05

G. Lamphere MOVED to enter executive session to discuss the town planner annual performance review.

S. Jensen SECONDED the motion

The motion passed 4-0

Individuals in attendance included: George Lamphere, Seth Jensen, Gordon Gebauer, Mark Letorney.

G. Lamphere MOVED to exit executive session at 9:51 PM

M. Letorney SECONDED the motion

The motion passed 4-0

Decision made to follow up with Melissa at a future meeting to discuss the town planner annual performance review.

Adjourn:

Meeting adjourned at 9:51PM

Submitted by,
Diane Finnigan, Minute Clerk