

**TOWN OF WESTFORD  
PLANNING COMMISSION MINUTES  
MINUTES FOR NOVEMBER 8, 2022 MEETING  
Approved on November 21, 2022**

**Commissioners Present:** Gordon Gebauer, Seth Jensen, George Lamphere, Mark Letorney and Mo Reilly.

**Commissioners Absent:**

**Also Present:** Melissa Manka (Town Planner), Harmony Cism (Planning Assistant), Sheila and Joe Franz, Barbara Peck, Ira Allen, Maureen Wilcox, Lori Johnson, and Andy Love.

**Meeting Began:** 6:30pm

**Amendments to Agenda**

No amendments offered.

**Minute Clerk Resignation & Vacancy**

M. Manka stated Diane Finnigan, Minute Clerk, resigned effective immediately. M. Manka has begun advertising (website and FPF) the position and speaking with town employees to see whether there is any interest in serving as minute clerk.

H. Cism will fill in taking minutes for this meeting.

The Planning Commission wishes Diane a speedy recovery and will fill in taking minutes, when necessary, though it is difficult when covering important topics to be part of the documentation rather than part of the conversation.

**Minutes of the October 17, 2022 Meeting**

G. Gebauer MOVED to approve the minutes as amended.

Mark Letorney SECONDED the motion.

G. Lamphere abstained from voting due to his absence at 10/17/22 meeting.

The motion passed 4-0.

**Meeting Rules of Procedure**

G. Lamphere outlined the meeting rules of procedure for the public.

**Citizens to be Heard - *Items not on agenda***

No citizens to be heard.

## Correspondence

**Woods Hollow Traffic:** The PC received a written correspondence from the SB from Joe Franz re: traffic. Joe is asking what the effect of traffic patterns on Route 128 and other roads will be if the proposed WW system is installed in the village center.

The letter states concern about traffic patterns from lower Chittenden County into Franklin County through the common. There is mention of the 1705 Project and how that would impact traffic. Since the Town is closing out that grant and not pursuing the project, this is a moot point. If someone purchases the property privately, the Town won't conduct a traffic study unless it is warranted by Town Regulations. The correspondence also referenced the buildout of the village. The PC is not proposing a buildout of the village, just basic infrastructure to serve civic, residential and commercial uses.

S. Jensen said there were 2 questions. 1) Is there a safety hazard on Woods Hollow Road? 2) Will development in the Town Center, specifically related to the WW project, exacerbate problems? Seth took a second look at the data collected a few years ago, specifically volume and speed. The data should be taken with a grain of salt since they were collected during the pandemic. Nationwide, speeding increased during the pandemic. Compared to other rural roads studied, speed on Woods Hollow Road – close to the speed limit with a small number of “super speeders” (traveling at more than 55mph). The volume and range of excessive speeders are greater on Woods Hollow Road than on other rural roads. We can't change the speed limit based on super speeders, since they are already violating the law. The solution is enforcement. Does the SB want to use limited public dollars for speed enforcement on Woods Hollow Road? This is a resource allocation decision that the SB needs to make. When there is a public safety issue, even for a small subset of the population, it needs to be taken seriously. To the question of village wastewater exacerbating these problems, the PC has established that a nexus doesn't exist.

The correspondence refers to Jericho Ctr, which we need to remember is on a municipal road, not a state highway. The options that the Town would have for traffic calming on 128 are significantly less than in Jericho Ctr. Things like speed bumps, bump-outs, and stop signs are not options the Town has due to 128 being a state highway. Traffic studies require uses to be identified and run through the *Institute of Transportation Engineers Trip Generation model*. We can't do this without uses identified, the wastewater system doesn't determine future development. When development is proposed, state and local regulations will be used to evaluate the project and determine if an application warrants a traffic study. It is not possible to do this type of analysis based on speculation. Seth also looked at the turning movement data at the end of Old Stage Road Woods Hollow Road to Essex avoids 4 traffic lights in Essex Ctr. Data shows that 85% of vehicles at the corner of Old Stage Road and Rte. 15 in Essex turn right toward Essex Junction or straight into Lang Farm. This avoids the Rte. 128/Rte. 15 light. That is the bottleneck. PC should suggest that the SB have a resource allocation discussion about increased enforcement on Woods Hollow Road with the recommendation that data supports extreme speeding on said road during peak AM and late PM hours. The PC should monitor the

State Transportation Improvement Plan for potential capacity upgrades at the 128/15 intersection. It may be worth inviting other communities to support improvements at this intersection as well.

G. Lamphere, on the topic of traffic study and the ability to get updated data, said that Charlie Baker (CCRPC) was at a SB meeting recently. Charlie Baker said they are willing to conduct another traffic study, but it will have to be done for next year as it's not something that can be scheduled before winter.

S. Jensen has bullet points to present to the SB in response to Joe Franz's letter. He will draft a response for submission to the SB.

The Franzes said that the PC missed the point of their letter. Joe has a list of bullet points. 1) Traffic on Westford's through-roads (Woods Hollow Road, Old Stage Road, Cambridge Road) has become very heavy, changing the rural character of these secondary roads 2) There have been many complaints on FPF and to the SB for the last 5 years with no resolution. 3) We have seen the effect of impeding traffic on Rte. 128. During repaving, up to 200 cars per hour were using Woods Hollow Road. We have not returned to these pre-paving levels since that time. 4) There have been no studies to determine if traffic flows through Westford from north to south have increased? 5) The Franzes are concerned that a new WW system will trigger a buildout of the village and increase traffic on through roads. Sheila said she was scared crossing the road recently. The Franzes think that a WW system will cause "squeezing" of traffic through the 90 degree turn on 128. Woods Hollow Road saves 3 miles and avoids a pinch point in Essex. . They were fine with the Town Plan, but want it reevaluated because it's changing the rural character of our Town.

S. Jensen said that any development on 128 will have to go through the VTrans 1111 process, which determines if a traffic study is needed. Applications are reviewed by state engineers. We were not at that step yet for 1705. WW itself doesn't promote development or traffic.

M. Letorney said that the entire town is experiencing much more traffic these last 3 years. He thinks speed enforcement is the best remedy.

G. Lamphere said that for this issue, the SB needs to discuss budgeting for speed enforcement.

J. Franz said he has been hearing the same comment for 5 years. This is not about speed enforcement on Woods Hollow Road, it's about what happens to secondary roads when you build out the Town Plan. He believes there is a relationship between WW and secondary traffic. He feels that he didn't get his question answered.

G. Lamphere said there is more undeveloped land on Woods Hollow Road than the village, which if developed will lead to more traffic over the next 10 years.

Sheila said this isn't about individual houses. It's about north to south traffic diverted to secondary roads from 128.

S. Jensen said that development in Milton, Fairfax and Cambridge is driven by unaffordability in Chittenden County and commuters from abutting towns is driving increased traffic volumes in Westford.

G. Lamphere encouraged Sheila and Joe to participate in discussions when the Town Plan is next revised.

B. Peck reiterated that Sheila and Joe are talking about building out the Town Center and how this will trigger traffic calming along 128. The State slows traffic along developed areas with bump-outs. What if we have to slow traffic down due to development connected to the proposed WW system? Barb is not against low-income housing; she just doesn't want it around the Common. She is concerned about what the State would do to slow traffic in Town. The SB has not asked the State to do any study on traffic through the Village.

S. Jensen said that bump-outs are not allowed on State highways. Barb had asked about a road safety audit? Federal guidance specifically states that these audits are not for evaluating the impact of new development.

A. Love stated that traffic in Westford is remarkable. He says the issue is a traffic flow problem going North to South. We can't change peoples' minds to slow down or stop taking shortcuts. The number of cars and their speed is a real problem. Speed is way over 45. He is amazed no one has been hurt. Many of these people don't live in Westford and they throw trash on the road. This is a separate issue though. Andy is impressed with the PC and their dedication to the process.

M. Letorney addressed Barb's comment. The 90° turn at Cambridge Road is a traffic calming device. He worked with VTrans extensively in 2019. The State permit coordinator took huge interest in our project. VTrans' solution to the Westford Common was to take that corner out and have 128 go through the Town green. The PC fought to preserve the green by convincing VTrans that the corner is a traffic calming device. The PC worked hard to preserve the route around the Town Common. We do not want to lose public land.

B. Peck said that she talked to VTrans also. She already knew this info. Nobody wants a road through the Common.

**CCRPC Representative:**

G. Lamphere had a conversation with Ben Bornstein. Ben attended a SB meeting when Charlie Baker was there. Charlie Baker brought up designating a Town Rep to serve on the CCRPC board. Charlie and SB said maybe Ben would be interested. Ben would like to discuss the matter further. Melissa thinks Ben would be perfect for the position. She is happy to speak with Ben, but Ben might learn more information from Taylor at CCRPC. George will follow up with Ben

and connect him with Taylor. It has been a few years since the Town has had someone on that Board.

### **Community Wastewater Project**

#### **PC & SB Liaisons to DEC:**

The Town has a new DEC reviewer. M. Manka would like one to two PC members designated to attend DEC meetings.

M. Manka said it would be nice to have the same individuals at meetings every time for consistency.

The meetings are scheduled a week or so prior, they are not regularly scheduled meetings. At a recent meeting with Emily and Lynnette, there was discussion about having DEC attend PC meetings on a monthly basis. They would be good to have in the room while discussing WW to help answer questions and create more of a partnership.

G. Lamphere and S. Jensen volunteered to act as Liaisons for these meetings. They would prefer a standing meeting time but will adapt as needed.

M. Manka will follow up with the DEC and find out their thoughts on accommodating a standing time. She will also discuss whether there is interest in attending all PC meetings or one a month.

It would also be a good idea to have a SB member attend, but they are very busy and booked every Thurs. through the end of the year. That said, first-hand knowledge is not the same as a memo or update. The PC will reevaluate and/or solicit the SB after the new year G. Lamphere will bring this up at this week's SB meeting.

#### **Local ARPA Request & State ARPA Grant**

On October 27<sup>th</sup>, M. Manka, S. Jensen, and G. Lamphere met with the ARPA Committee to present the PC's \$300,000 request for Step 2 (final design) and Step 3 (construction) funding. There was discussion about identifying what the funds would be used for. There was hesitancy toward awarding funds prior to a bond vote. There was discussion about revising the ask to include more specificity on spending. The application was approved for submission to SB with a suggestion to revise and/or supplement the ask. Seth and Melissa reached out to the State to discuss whether the State ARPA grant could be used for Steps 2. They are looking into revising the draft grant agreement to allow State ARPA to be used for planning and engineering. If State ARPA allows use of funds for Step 2, then the PC can revise the local ARPA ask to a reservation of funds for construction, if the bond vote passes. M. Manka is hoping for an answer from the State in the next week or two.

G. Lamphere provided some background as a reminder. We had GME as the engineer for Step 1 & 2. They ceased operations in 2022. When they ceased operations, our contract for funding became null and void. We have been working with Stone to get them on board. They have been working for free. They cannot bill until State DEC approves that new agreement. Once that happens, we can get Stone under contract. Currently, engineers and consultants are working pro bono because they believe in the project. Purpose for local ARPA request was to use

\$150,000 to do work ahead of DEC getting a new agreement in place using Stone. We will be waiting for the DEC to get thru FONSI and engineer service agreement and to get that in place with Stone. All of this is affecting timeline and ability to set bond vote. We have tremendous funding and support. We also have a lot of questions we can't answer. We will continue to push local ARPA. Any alternatives? Consultants and engineers won't continue work with no pay.

M. Manka says we need a response from the State ARPA to utilize funds for Step 2. Additional subsidy and ARPA dollars would help complete Step 2. She agrees we should pursue local ARPA dollars to help reduce project costs. Seth and Melissa will work on revision and will wait to hear from Lynnette before 11/17. The Local ARPA application will likely be discussed at a SB meeting in December.

S. Jensen said it makes sense for Local ARPA request to be post bond for construction. Need confirmation from State.

### **FAQ Updates**

G. Gebauer and M. Manka worked on updating the outdated FAQs for Westford's future website. Need to check in with Amy to confirm some elements.

G. Lamphere thinks FAQs are great. What is the community reaction? Feedback in the past is that we've changed info and why? With a project like this we have experienced more, and we've learned more. Transparency is providing new and updated info. We make a good effort to be transparent and communicate info we have when we have it.

G. Lamphere MOVED to approve, pending review by consultants and engineers.

M. Reilly SECONDED.

The motion passed 5-0

### **Selectboard Communications**

A lot of time has passed since having substantial and significant communication with SB. We should provide them with succinct memos to let them know where we are in the process. PC has prepared the first memo which has been circulated. A second memo is in the works. It would be good to get something to SB every couple of weeks or once a month.

The PC spends a lot of time defending the goodness of WW and why it is necessary for the Town. That narrative remains unchanged until the whole Town weighs in. Some people will not support it, but PC needs to consider moving away from defending why it is important, because that narrative already exists. PC needs to move toward informing the public of what the project entails, how it will work, who it will serve, what the cost is, etc. It will be up to the Town to decide if the project is wanted or not. People can make educated decisions. Gordon will work with Melissa and consultants to publish info.

Melissa will touch base with Amy to finish up the FAQs and the 2<sup>nd</sup> memo.

G. Lamphere MOVED to approve first memo released to SB: *"Community Wastewater Overview History and Existing Conditions"*

M. Letorney SECONDED.

The motion passed 5-0

I. Allen made a statement: He is in an unusual position having rental property in the Town. He went through the numbers in '19. When we have the best estimate of construction cost and annual cost/operation and maintenance, then he can make an informed decision.

G. Lamphere says that the 2021 numbers are the best we have right now. The SB determines user fees and costs to different users in different situations. SB will get advice from 3<sup>rd</sup> parties and look to other towns to see how they handle it.

I. Allen said that he already made a similar statement at a SB meeting.

S. Jensen said the data confirms what Ira is saying. Rent in Westford is lower than median rent in Chittenden County, and lower than the statewide median. Median income of renters in Westford is lower than the median income of renters in Chittenden County and VT and a whole. Renters are primarily working people. Yet, the cost burden for Westford renters is higher than the median cost burden for the state. The SB will have to make some decisions about rent structure to preserve the affordability that we have. Grant funding is key to doing that.

### **1705 Route 128 Property Project**

#### **VDCP Grant Scope of Work & Close Out**

PC is wrapping up grant work and closing obligations to VDCP and CCRPC.

#### **SE Group Contract Amendment**

H. Cism and M. Manka reached out to SE group and met with them regarding contacting Button & KAS to complete the scope of work. Community engagement elements will be removed. SE Group has not yet reached out to KAS and Button. We hope to have an update in December.

#### **Draft Text - Preferred Alternative & Visual Renderings Webinar**

M. Letorney has been working on the Webinar for the 1705 Project. He presents a final conceptual plan derived from public comment and closing statement. Information on the current website is dated and can be archived. The current website will be replaced with the new webinar and posted to FPF. VRC and SB will be notified that we are closing the project. The work that has been done on this project will present a clear path for whoever purchases the property. It is a positive outcome that contamination assessment and remediation happened.

#### **Citizen Proposed Town Common Resolution**

At the 10/27 SB meeting, a draft resolution was presented to the SB that proposes a vote to require votes to make changes on the Town Common. This spawned from a false narrative that PC or Town is proposing a parking lot on common proper. SB accepted the draft resolution. The SB will have the language reviewed by an attorney to make sure the resolution is written properly. The SB discussed defining what is meant by the "common" and the parameters of

what would and would not require a vote. SB is working on it, and will follow up at their next Dec. meeting. There will be updates on a regular basis until draft is available.

I. Allen said there is nervousness about a sidewalk around Town Common. The Common is viewed as sacred ground. We lost pieces to parking lots.

We are all in agreement that the Green should be preserved. It is a policy of the town plan policy to avoid loss of contiguous green space.

### **Draft FY 2022 Planning Commission Town Report**

Town Report will be tweaked a bit to shorten. It should have been submitted by 11/1. No motion needed. Will be sent to Nanette and M. Manka.

### **2022 Work Plan**

The Planning Commission reviewed and revised the 2022 work plan as necessary.

The public comment for FONSI will be discussed at the next meeting. We will discuss the status of FONSI on 21<sup>st</sup>. Should have an answer regarding if State ARPA can be used for final design, and local ARPA ask will be refined. M. Manka proposes moving 1705 discussions to December (more info from SE group Kas and Button: timelines). Will have more info by the first meeting in December.

Emily will be invited to the next meeting in November. Responses to public comment and explanation of steps taken post FONSI will be useful for everyone.

### **2023 Work Plan**

Meeting schedule was discussed. No meetings are scheduled for 1/1/2023 or 3/6/2023. Rescheduling will be discussed in December and February.

G. Lamphere proposed using Google Calendar for scheduling. M. Manka will work on this. Between Town Meeting and 5/1/23, we will need to do reorganization. Currently G. Lamphere is the Chair, G. Gebauer is Vice Chair, and S. Jensen is Clerk. M. Manka will double check this information and inform PC.

**Meeting Adjourned:** 9:03 pm