

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR JUNE 19, 2023 MEETING
Approved on July 3, 2023**

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

Commissioners Absent:

Also Present: Melissa Manka (Town Planner), Harmony Cism (Planning Assistant, Minute Clerk), Emily Hackett (Clean Water SRF, State ARPA), Ben Bornstein (rep to CCRPC), Amy Macrellis (Stone Environmental), Barb Peck, Maureen Wilcox, Lori Johnson, Ira Allen, JB Hinds (Birchline)

Meeting Began: 6:30pm

Amendments to Agenda

None.

Minutes of the June 5, 2023 Meeting

G. Gebauer MOVED to accept the minutes as presented.

M. Letorney SECONDED the motion.

The motion passed 5-0.

Meeting Rules of Procedure

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

Citizens to be Heard – *Items not on Agenda*

None.

Correspondence

The Planning Commission received correspondence from Maureen Wilcox asking about an answer in the *Westford's Future* website FAQs. This answer states that there are drip systems operating in Northern New England that are significantly larger than the Westford system. Maureen asked for a list of these installations. The Planning Commission responded that Oakson has provided a list, which will be reviewed tonight. G. Gebauer noted that the SB had asked a similar question regarding the stability of the system. Oakson's list and links to the YouTube videos will help answer both questions.

Community Wastewater Project

Amended Step 2 CWSRF Agreement

This document has been fully executed. The Treasurer and Town Administrator need to follow up on documentation with the bond bank for transferring reimbursements. In addition to State ARPA. M. Manka still needs to finish setting up the administrative components and begin processing invoices and reimbursements.

Step 3 Funding Stack

No changes since the last meeting. Still waiting for the CRRP award to be announced.

June 8th Selectboard Meeting & 18 Questions

G. Gebauer reported that at the last SB meeting he provided some responses to the list of SB questions. Some of the answers are subject to change as the project moves forward. Some of the questions from the SB involve PC recommendations on policy issues. At this meeting, the PC will discuss 2 or 3 questions that involve policy considerations. Responses can be drafted and sent to SB by Thursday if possible. The SB wants to consider some ordinance questions now, particularly pertaining to how the ordinance will be drafted. The PC will then work with Birchline on language and how to put the policies into a draft ordinance.

Question 1: Will not-for-profit or "civic" entities (WCH, BMHS, Historical Society, etc.) buildings be treated as private residential property, as municipal buildings, or as something else regarding paying for costs of construction, operation, and maintenance?

The PC feels that these entities provide a valuable service to the Town. They discussed treating these civic buildings much the same as the Town Office or the Library, and the possibility of having the Town pay their O&M costs. It may be more reasonable to cover O&M for a certain number of years, as these buildings hope to become financially sustainable in the future. The town wants to move away from subsidizing these civic buildings. Some options discussed included covering their costs at the beginning and renegotiating every 5 years, or perhaps 8-10 years or so; paying a portion in perpetuity; or specifying a certain number of gallons per day and revisiting if they need to increase flow. O&M will change over time, increasing with inflation. S. Jensen stressed the importance of engaging with the boards who manage these civic buildings and keeping an open dialogue. A connection to WW would give the Brick Meeting House and Westford Common Hall opportunities for many more events.

Question 3: Will multiple housing units or "affordable housing" units be treated differently from other private residential housing regarding costs of construction, operation, and maintenance? Will there be any incentives?

This question is very similar in nature to the above question. The PC discussed how multi-family housing should get a discounted rate, and perpetually affordable housing should get a further discounted rate. Perhaps there could be a cost arrangement for O&M. This type of housing is a valuable service and component of the village. It would benefit the Town to support them.

Amy Macrellis reported that individual connections can be metered for usage. The telemetry at each pump tank has alarms to sound an alert when something goes wrong and can be programmed to monitor pump cycles. This level of detail is usually not needed but it is possible. It could be helpful for large-scale users or large events. Amy added that a 5-year renegotiation schedule is okay since the permit term is also a 5-year term under the indirect discharge rules. Civic uses may change over time. SB should reconsider the fee schedule every so often if requested by a user due to material change.

JB Hinds stated that we are looking at a system of 42 equivalent residential users (ERUs). This is a very small base of users. The more of a discount given to one category of users, the bigger the impact on users who don't get that consideration. Anything granted to support one group will have a large impact on others.

S. Jensen noted that there is an important distinction between civic buildings and multi-unit buildings. The Town will need to see numbers to accurately determine the impact on the system as a whole. Additionally, multi-family housing currently exists in Westford, but perpetually affordable housing is not yet present in town.

JB Hinds stated that connection fees can be discounted or forgiven, but operating expenses shouldn't be reduced. Hardship provisions are not based on category, but on ability to pay. External funding is available for customer assistance based on financial hardship through Federal or State affordability programs. Building owners can decide to pay or have bills sent to individual owners in separate accounts.

Amy Macrellis added that allowable GPD would be part of the design engineering as the project moves forward and we have a better sense of cost estimate and capacity needs.

JB noted that there is a solid connection fee and solid user fee outlined. This will be an easier discussion when the numbers are known.

The SB is going to have this same discussion and will make decisions considering PC input. The PC is not in complete agreement on these ideas, but they will provide these options, concepts, and recommendations for the SB to think about, discuss, and ultimately decide on.

Question 16: Will the system design be robust enough to deal with extreme cold, power outages, or other threats to reliable operation? How are system users compensated for any suspension in service?

Oakson has provided a link to their YouTube video that answers all of these questions. They have also provided a list of the large-flow drip systems that have been installed, with New England systems highlighted. They want people to know how their systems work. The video and list will be provided as an answer to this question, along with an excerpt from the video that provides a direct, succinct answer to the question. Oakson distributes Perc-Rite Systems. GeoFlow is another distributor that may also be able to provide a list of their systems. Drip disposal systems have been vetted and reviewed by multiple states who stand by this technology. There is also an ANR/Oakson training webinar that will be very useful to share when it becomes available to the public.

M. Manka added that Rob from Oakson will be attending future informational public meetings and will be able to provide answers to many questions.

The answers to some of these questions may influence voters' decisions.

Action Item List

The PC is working with consultants to get feedback. The list will remain in a beta version which will evolve until the end of July and then become an active Action List. This format is not conducive to Google Docs.

Project Schedule

Amy Macrellis provided an update on the Master Engineering Project Schedule. There are no changes to the Master Schedule. Ledge probes will start on Wednesday along Brookside Road, moving north to the Common. It will be noisy but should not be too disruptive. The topo survey is mostly done. Once the survey is complete the project will be moving more into the design phase.

Communication Schedule

A newsletter article was included in the packet. The newsletter will be out next Monday. It identifies that probes will be done, and results are being analyzed. The PC and SB are working together to come up with bond ordinance language and policies to share with the public. More information will be coming. Posters have been created with a QR code linking to the website. The Outreach Committee sees no reason to have

an information table at the 4th of July celebration. They will continue to make updates to the project website.

Sewer Ordinance

The PC will update the 18 questions and provide information. How does the SB want the PC to be involved in the process? The PC needs an idea from the SB of the level of completeness the ordinance needs to be. Then they can formulate a better plan for moving forward. The SB needs to work through details, understand options, and make decisions pre- and post-bond vote. The PC and consultants can provide information on options and recommendations. It is the SB's responsibility to make any decisions. People in the service area need to have a good understanding. The PC will present options for the SB, but the SB ultimately needs to make decisions based on input from taxpayers, Town Attorney, etc. Consultants and the SB come up with draft language, which is then reviewed by the Town Attorney. The draft is well in hand.

G. Lamphere will attend the 6/22/23 SB meeting.

The PC's role is largely investigative and research oriented. Work moving forward is a collaborative effort. Discussions about what does and does not go into ordinance must happen at SB meetings. The PC may have to prepare and present multiple options.

Website

At the last Outreach meeting, the committee came up with a few questions that they would like the PC to weigh in on.

Q: Can and should we post the large flow system list on the project website? The PC answered yes.

Q: Can the Oakson webinar about the large-scale drip system go on the website? The PC answered yes.

The PC will need to change the targeted bond amount on the home page. It currently says \$600K-\$900K. There has been discussion about changing that number to \$400K-\$600K or \$400K-\$900K to compensate for the anticipated grant funding and current project costs. The information given to the SB was that the bond was between \$400K-\$600K. The information should be the same. The numbers were conditioned on the CRRP Grant. It is up to the SB to set the maximum in the bond language. The best estimate is \$400K-\$600K. The cost estimate is a little dated and will likely change due to inflation. The PC will align the website with the information provided to the SB. The number will be updated to \$400K-\$900K. The update will be provided to the SB and the website.

The SB talked about posting different schedules on the website. These are working documents that will continually need updating. There is a very basic schedule on the website that represents the best transparent information to the public. A hard copy will be made available at the Town Office.

Draft July Newsletter

Information needs to be included about what to expect from Stone Environmental in July. They are wrapping up field work now. The month of July will mostly consist of in-office work, with the possibility of meeting with particular users or connections if additional information is needed.

Public Comment

Ira Allen asked if "affordable housing" includes his units. G. Gebauer replied Ira is concerned that he will be impacted by a factor of 8X the financial decisions, and how to handle this impact. "Affordable housing"

implies that there are State or Fed government involved, which is not Ira's case. He does not have the ability nor the inclination to involve the government in the management of his housing units.

G. Lamphere commented that it is good to have Ira involved, the SB needs this input. This is an area of interest to all parties. G. Gebauer added that it can be hard to distinguish between "multi-unit" and "affordable housing." There is discussion around whether the SB should treat multi-unit residences differently than single-family homes. The term "affordable housing" means housing for people at a certain income level who are using a larger percentage of their income for housing. "Section 8" is where the Federal government pays a landlord for part or most of the rent for eligible tenants. This is a decision for a landlord specifically. S. Jensen stated that the discussion of multi-family should be kept separate from affordable housing. They are related but separate. Affordable housing is based on a percentage of household income and doesn't necessarily imply government involvement. "Perpetually affordable" involves deed restrictions. JB added that we are a long way from discussion on rates. At the moment it is more important to understand the project cost. Nothing here involves the government.

Lori Johnson asked if residents in the ledge probe area know about the noise, as several work from home. M. Manka did post 2 FPF posts, and the June newsletter has a full description. Amy added that Stone Environmental has been in touch with many property owners. Most folks know and have agreed that Wednesday is best, which is why the ledge probes have been scheduled for Wed. Multiple avenues have been used to inform people.

4th Quarter Financial Report

Approximately \$2700 of the budget has been spent, leaving almost \$12K. The Special Projects Fund will roll over into the Special Project Fund Reserve (just under \$8K). This report is an expenditure report, not a revenue report. Grants are not coded into the regular budget. Both expenditure and revenue reports can be provided in the future.

Omission of Conservation Commission from Planning Commission Financial Report

Will be moved effective 7/1/23. This item will no longer show up in the PC's report.

2023 Work Plan

7/3/23 meeting topics will include schedule updates, grant funding updates, and 18 questions/ordinance.

7/17/23 meeting is tentatively moved to 7/24/23.

August meeting topics will include S.100 impacts, understanding the statute.

Adjourn: 9:29pm