

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR SEPTEMBER 5th, 2023 MEETING
Approved on October 23, 2023**

Commissioners Present: George Lamphere, Gordon Gebauer, Seth Jensen

Commissioners Absent: Mark Letorney, Mo Reilly

Also Present: Melissa Manka (Town Planner), Harmony Cism (Planning Assistant, Minute Clerk), Pat Haller (Outreach Committee), Greg Barrows (Town Treasurer) Amy Macrellis (Stone Environmental), Sheila Franz, Barb Peck, Kim Guidrey, Ira Allen, Maura O'Brien, Lori Johnson, Emily Hackett (State of VT CWSRF), JB Hinds (Birchline Planning)

Meeting Began: 6:48pm

Amendments to Agenda

Revise 2nd Wastewater item to *Project Costs, Funding, and Bond Recommendation*.
Add *Resolution of Necessity & Bond Warning*.

Minutes of the August 21, 2023 Meeting

Gordon MOVED to accept the minutes as presented.

Seth SECONDED the motion.

The motion passed 3-0.

Citizens to be Heard – *Items not on Agenda*

None

COMMUNITY WASTEWATER PROJECT

- **Preliminary Design Plans**

Amy Macrellis reported that site plans were delivered last week. The 30% plans are now posted in multiple locations, including the project website and a paper copy in the Town Office. Preliminary input was obtained from property owners at the service area gathering last week. This input is continuing to be incorporated into the 30% plans. Engineers are still working on the table of contents for specifications when the project goes out to bid. Clean Water SRF needs to see the table of contents to make sure the project is checking all the right boxes. When the table of contents is complete, a 30% review meeting with the Town and the funding agency can be scheduled.

G. Lamphere asked about the guidance from the State to add additional contingency funds. Will this be added to the contingency fund line? A. Macrellis explained that there is a 30% contingency on construction cost. As more detail is added to the design and the project advances through the design process, contingency is lowered. Clean Water SRF advised that the contingency be kept high because the bid environment is volatile. If all goes as forecasted, there will be enough funds there to support the project.

Kim Guidrey asked when users might see the 100% plan. A. Macrellis replied that if we continue on this schedule, the 100% plan will be available in spring/early summer 2024 (after the bond vote). The indirect

permit process is long. It would not be responsible for engineers and consultants to continue a plan until they know that the town wants it. A 100% plan is a plan with permits.

Amy Macrellis summarized plan percentages:

A 30% plan gives the bones of the project; where components are likely to be located, the big picture. 60% & 90% phases put more flesh on those bones, more details (construction sequencing, erosion control, traffic control during project, additional archaeological work, etc.) that contractors want to know before the project can be put out to bid. 60% is a big review stage. 90% is nearly done. The 30% layout is unlikely to change much. 30% and 60% plans provide more information about how construction will progress. A 100% plan is a design plan set with permits issued. The design plans are on the Westford's Future website. The project is following state process. E. Hackett added that ARPA grant agreements follow the Clean Water State Revolving Fund. There is a checklist for this type of project. We are currently in Step 2 (Design). Each phase has different things that need to occur.

Lori Johnson noted that at the service area gathering, some people who wanted to look at the maps didn't have that opportunity. Additionally, some people found inconsistencies on their property. This is important information to have to determine where archaeological work needs to happen. Is this the landowners' responsibility? G. Lamphere said that property owners are encouraged to reach out directly to the Town Planner and the PC. A. Macrellis stated that the service area gathering was introduced as an opportunity for landowners to talk to the engineers directly about items not on the plans. The plans will be adjusted based on feedback from landowners. There were some good conversations during that gathering. There will be more opportunity at future meetings and at the site walk. Plans are available in the Town Office and on the project website.

- **Project Costs, Funding, & Bond Recommendation**

JB Hinds reported that at this point in wastewater project planning, there is a narrow range of cost estimate. A responsible recommendation can be made to the SB about how much bonding authority the voters need to authorize for sufficient funding and contingency. The vote is to authorize the SB to borrow up to a certain amount at a maximum interest rate and a maximum term so that if they need funds they may do so. It does not immediately go to the bond bank, it is not a guarantee that the amount will be borrowed, it is only an authorization. The Project Cost Estimate already includes a 30% contingency construction cost. The next step is to come up with a 50% contingency of the total project cost. The project cost could go up by 50%, and still be covered. This is a conservative amount. \$350K-\$400K is the recommended bond amount.

The SB will be given this information and set the bond amount. This is an experienced team making recommendations. The SB will be authorizing "up to" a certain amount.

These numbers are not updating the project cost, they are making sure there are funding contingencies. This accounts for uncertainties in the bidding environment. Contingency is the 3rd line of funding defense, providing a big cushion. We will only use what is needed to finish the project.

- **Resolution of Necessity and Bond Warning**

This document has been reviewed by the Town Attorney and submitted to the SB. The SB can approve/take action. The bond amount needs to be decided to complete this document.

- **Action Item List**

A draft action item list was included in the meeting packet and shared with the SB. It will be shared with Amy & JB and will stay in draft mode until submitted on Monday. Everything is on track.

- **Selectboard Schedule**

No updates since the last meeting.

A special meeting will be held on Thursday, September 7th to solidify the bond amount and perhaps approve the Resolution of Necessity. The PC hopes to have the bond amount to update the booklet and website and have info available to the public. This will provide more solid numbers for the September 13th public information meeting. G. Lamphere, S. Jensen, and G. Gebauer will likely attend in person; M. Manka, A. Macrellis, and JB Hinds will attend via Zoom.

- **Project Schedule**

Amy Macrellis reported that the engineering project schedule was included in the meeting packet. There are no major updates. The timeline for permitting has moved up to accommodate for the indirect discharge program's permitting timeframe.

- **Communication Schedule & Public Outreach**

S. Jensen reported that the service area potential user gathering was last Wednesday. There was a good turnout with good questions and an opportunity for initial review of the plans.

September 13th is the 1st informational meeting. Work has been done on the informational booklet, which contains the same information that is on the website.

October 18th will be the 2nd informational meeting with the same information. People can attend either meeting. These meetings will be recorded.

September 23rd is the site walk to Westford Fire District 1 (off North Road), which has a 10,000 gallon per day design capacity. Only half of the capacity is being used, and only half has been used for decades due to zoning regulations.

The Outreach Committee is working on publishing videos. Booklets will be provided to the senior lunch group.

- **August 30th Potential Service Area User Gathering**

Covered above.

- **September 7th Selectboard Meeting**

Covered above.

- **September 13th Public Information Meeting**

Covered above. G. Gebauer summarized that the meeting has been organized well, working with the school and Lake Champlain TV and Zoom. Organization and timeline are still being worked on. M. Manka will send out an overview of the meeting schedule. Commissioners should arrive between 5pm & 6pm. There will be a handout available.

Public Comment

Pat Haller commented that the Outreach Committee could send each user a copy of the plans and recommend that they speak with the Town Planner. A. Macrellis supports follow-up communication so that all potential users can look at the plans and provide input.

Pat Haller reiterated that the Town may not need to borrow any money, and may actually have money left over. The bond is only to cover contingency.

Sheila Franz asked about an earlier mention of a project cost that was over the engineers' estimate. How does it relate to our estimate? A. Macrellis responded that it is relative to construction cost, not total project cost. That particular project was double the engineers' estimate, which is a worst-case scenario. ARPA funded mobile home projects have been coming in 50-75% above the engineers' opinion of cost.

Ira Allen spoke of the discussion about economic margins of safety and extra funds. Bidding is a strategy as well as a financial operation. It is a very complex process. To the extent feasible, it may be advisable to keep extra cash out of sight. Ira suggested that the plans and specifications of interest are mainly design and details, rather than bureaucratic requirements. He asked what completion level of plans AND specifications we will see in order to make an informed choice. E. Hackett said that the state requires a table of contents for technical specifications. More details are not fleshed out until 60%. Engineers and consultants will advance some aspects but can't proceed too far without bond authorization. Ira observed that it seems we are not planning to use Orenco tanks, and that check valves are not on the drawing. G. Lamphere stated that a lot of specific details are still being pieced together and documented. S. Jensen added that at 60%, plans will be reviewed by several teams of engineers. Members of the public will continue to have the opportunity to ask questions at every step along the way.

Sheila Franz has a question about risk assessment. What % of municipalities typically bond at 30%? E. Hackett responded that it depends on the town. They typically see 20-25% contingencies, but lately the state has been recommending a 30% contingency. The percentage depends on the community and the funder. Westford is in a good position having this design. JB Hinds added that there is a balance between finality and cost. It costs a great deal to engineer things to a 60% drawing. How far does the town want to go before knowing if the voters will authorize the required level of funding? The effort has been to establish the right balance between the expense of engineering and community confidence. S. Jensen added that last year there were a lot of comments about not spending money before the bond. The goal is an informed bond vote without committing taxpayer money. This has been heavily informed by public feedback.

Sheila Franz asked about the Orenco pump. She asked if the plans assume that every household at the 220V level of electrical capacity. A. Macrellis replied that we are midway through this detail. It will depend on which users are truly connecting and how much capacity is needed. There is not enough information yet. This will be defined in the 30-60% phase. JB Hinds added that typically ensuring sufficient electrical capacity is a covered cost. It is ultimately at the discretion of the Town.

FY '23 Planning Commission Town Report

This is due on November 1st. It is on the work plan for 10/2 and potentially 10/16 as well.

Correspondence

The PC received correspondence from Pat Haller. There have been suggestions of concern that 50 houses could be built around the common. G. Lamphere stated that this is not likely an accurate number. Zoning

could probably be looked at, and the SB has already taken steps by setting aside 25% reserved capacity. Total capacity depends on use (single-family homes, multi-family homes, accessory dwelling units, commercial business, civic uses, added kitchen in Westford Common Hall, etc.) The PC is not in a position to make a commitment other than to continue to look at zoning and input from residents.

S. Jensen added that the capacity of equivalent residential units (ERU) has been measured as new homes. Capacity is different for commercial uses (for example, 4 tables in a commercial use is equivalent to one new home). This needs to be explained to the community and in the ordinance discussion. This is a policy issue that the SB should be talking about. The framing of “50 new houses” is not entirely accurate.

Barb Peck commented that she didn’t understand how 50 new houses and excess capacity relates to zoning. G. Lamphere responded that it is the PC’s responsibility to look at zoning periodically.

2023 Work Plan

September 18th meeting: follow up on WW items; bond warning language.; FY’24 PC budget; prep for outreach meetings.

Adjourn: 8:41pm