

**TOWN OF WESTFORD
PLANNING COMMISSION MINUTES
MINUTES FOR NOVEMBER 20, 2023 MEETING
Approved on January 8, 2024**

Commissioners Present: Seth Jensen, Mark Letorney, George Lamphere

Commissioners Absent: Mo Reilly, Gordon Gebauer

Also Present: Harmony Cism (Planning Assistant), Maria Barden (Minute Clerk), Pat Haller, Carol Winfield, Ron Rodjenski (Stone Shore Consulting), Lee McClenny (Selectboard), Barb Peck, Juli Beth Hinds (Wastewater Planning Consultant), Amy Macrellis (Stone Environmental), Lori Johnson, Dave Baczewski (Selectboard), Maura O'Brien, Emily Hackett (VT DEC), Maureen Wilcox, Kim Guidry, Ira Allen, Dick Lavallee, Audi Guha (VT Digger), Wendy Doane, Becky Roy, Peter Lazorchak (Stone Environmental), Achouak Arfaoui (VT DEC), Andre Roy, Orah Moore, Sue Roediger

Meeting Began: 6:30pm

Amendments to Agenda:

None.

Minutes of the November 6, 2023 Meeting

S. Jensen MOVED to approve the minutes as amended.

G. Gebauer SECONDED the motion.

The motion passed. 3-0

Citizens to be heard – None

Community WW Project

- **30% Design Meeting**

Consultants, townspeople and State's people were present at the 30% Design Meeting.

A. Macrellis says they provided a short summary after the meeting was complete; Peter opened by asking if there were any additional comments on the design package that was presented back in August or the draft table of contents for the technical specifications, there were no further comments regarding the design or package. There was further discussion about what the next steps will be following the results of the bond vote with a few different paths the town could take. The one action item is whether the waiver was submitted and that remains open as there needs to be follow up.

M. Letorney feels the engineering needs to be finished up, **S. Jensen** feels they are under a time crunch and agrees with Mark that the process needs to be finished in case there is a revote.

- **Bond Vote Results & Next Steps**

G. Lamphere discussed the bond vote and commented on how good the turnout was for voting, he thanked the residents who participated and were involved in the process.

- **Action Item List**

G. Lamphere No update on this currently, will work on doing an update in December based on the next steps.

- **Project Schedule**

A. Macrellis The master engineering schedule has not been updated since the bond vote, states we need to wait until the reconsideration period ends, and depending on what happens with that they will need to revise the project schedule to be able to accommodate that reconsideration, the result and how that affects the master project schedule. Discusses what the next steps might look like and states that they will have to move very fast to get the permit applications in by the end of June if the reconsideration results in the bond vote passing and the project being approved.

S. Jensen The first-year flows are already there in substandard grandfathered systems, he says if there is a problem revealed in the process that wouldn't be good and seems like it would be a bad idea to stop the process.

A. Macrellis Responds to Seth by saying the work that the town has been doing to understand compliance with the nutrient based aquatic permitting criteria is basically done. She states they have summarized and submitted that report to the indirect discharge program. She states the system would meet the aquatic permitting as designed.

A. Arfaoui says they are currently reviewing to confirm the findings.

- **Public comment**

L. Johnson wants to clarify so she understands correctly; Based on the no vote she wants to know if engineering work on the project has stopped.

G. Lamphere states that there has been no decision or direction to stop working, he says they are in a period of pause until December when they'll know more.

B. Peck wants further clarification regarding what Lori asked and what George summarized.

George and Barb have a discussion about Barb's questions, reiterating what both said before.

M. Letorney discusses finishing the engineering so that in the future when the need arises, this part of the work is done and has been paid for.

C. Winfield states she completely agrees with Mark, believes there is a need to move forward with wastewater but would like to know if there are other options.

G. Lamphere states that Carol brings up good points and they will look at what alternatives do exist and states they are limited at this time to make any decisions until after December.

S. Jensen states he thinks it's important to know what has been said, best fixes don't meet current standards, the input we heard at the hearing points to a significant part of the population is concerned with zoning and a significant part of the population is concerned about the wastewater and how can we fix both problems. He wants to make sure the concerns about development are addressed while moving forward and believes there needs to be a big discussion regarding the zoning and best fix.

L. McClenny comments that we are all seeing this is a lot more complicated than it seems on the surface, a clear but narrow opposition and there could be a second guess in the future. He believes the selectboard has been clear indicating that they considered the vote a referendum on the project but not

regarding if the town needs wastewater. He believes it would be smart to pause all work on the project while the town decides if there will be a revote.

M. Letorney states the PC all recognize that the need for wastewater does not go away, he thinks we need to complete the current engineering on this project so it's paid for and becomes something we can use in the future for this or possibly an alternative design.

A. Macrellis would like to remind residents of a few things, just because engineers are on the call does not mean that there is engineering going on, they are here to help figure out what needs to happen next. Part of the Selectboard's direction when signing on the engineers was not to go past 30% without the bond vote. There needs to be a pause during the 30-day reconsideration before continuing. We are not "engineering" currently but are still supporting the town.

Pat Haller states he is disappointed in the no vote but in his mind is not a referendum of the project, he believes if there can be a change so the system can be installed while protecting the views of people who voted no it would still be a good project. He believes the biggest issue was the development.

Becky Roy states she agrees with Lee that as voters it was voted against and is frustrated that it is still being worked on. She feels that residents aren't being listened to.

W. Doane would like to know what kind of information we will get in December, more about cost? She feels because we voted no as a town, we did vote yes for something else, she'd like to know what the alternative would be and the cost.

A. Roy wants to know what the legal boundaries are for not continuing the project as presented?

G. Lamphere-the town has reached out to the town attorney for guidance and will be shared or touched on at the next meeting, he can't give a solid answer right now.

S. Jensen-States Engineering is paused at the 30% point, waiting to see if there is a petition or not and waiting for the discussion on whether we are proceeding or not after the reconsideration period.

JB-in addition to those important clarifications, no work is taking place right now that obligates the town towards any action or expense, nothing is happening that is creating any new expense or obligation. JB wants to be clear about that and that the selectboard executed contracts with the firms who have been supporting the town, it's the selectboard who has the authority to terminate those contracts with 30 days' notice.

L. Johnson-re-emphasized what Becky said.

Lori and Pat had a discussion regarding the country store hooking up or not.

B. Peck discusses her views on the vote and hypotheticals.

C. Winfield would like to state that she was not speculating but there is town record that two properties have installed working mound systems. She would also like to know where she can find the engineering reports to show the failing and dangerous systems in town.

S. Jensen would like Amy to talk about those details but states they've been very careful to not use the word "failing" and protect the private property of the owners in town.

G. Lamphere acknowledges Carol's frustration at not having full information in front of you but states it's not the PC's place to give that information regarding property owners.

O. Moore states, as a person who hasn't attended a lot of meetings, she doesn't always have the full information, would like to know if there is no revisit of another vote can they change or revise the project or bring some new ideas forward.

E. Hackett-Speaking for ARPA-federal deadline/hard deadline, if not allocated by next winter it will be reallocated to towns who will use it for wastewater. She states that this is a once in a lifetime amount of money and not something we see often.

G. Lamphere asks if there is a difference between allocating and spending.

E. Hackett-the money can be spent for lots of things but saying reallocation means if the town switches directions and takes their chances on final design they could pay for it and then re-allocate to other communities that are waiting. ARPA funds are very specific for what it can be used for.

G. Lamphere states that Orah's questions are all great and valid and they will take them into consideration.

W. Doane-after hearing about the ARPA funds she doesn't believe it is a referendum vote because she feels the residents don't understand what they are voting for.

A. Roy what information did you receive reaching out to legal can you discuss at this time?

G. Lamphere states that we don't have it on the agenda at this time but at the next meeting it will be added.

Vermont Community Development Program Grant Close Out

R. Rodjenski-Nov. 30th Selectboard meeting one of the last steps for the close out. January 31st is the deadline for the 1705 project.

G. Lamphere-States he's not sure what role the PC will take regarding the 1705 project in the future.

M. Letorney-PC wants to make sure the landowner is left in a good position.

G. Lamphere-Would like to get VTRANS involved in regular pump outs of catch basins around the Common.

S. Jensen-There was discussion with VTRANS, the culvert won't be a functional culvert anymore, not sure if it will be assigned to the selectboard, PC, or road crew.

R. Rodjenski-Says he will discuss this with the Selectboard.

November 30th Selectboard Meeting

G. Lamphere says he will be attending this, stating it's the public hearing for 1705 project.

Would like to know how Ron wants him to handle the meeting and support it.

G. Lamphere says he's available and to reach out to prepare, asks if Seth and Mark are available. They both believe they will be.

R. Rodjenski says he will reach out to George the day before but believes it's more of a state hearing and not a town hearing.

Correspondence

Larry White Emailed questions back in October, Melissa had responded with many items pointing to the website.

The follow-up from Larry was that he didn't get answers and now hears that there will be a possible revote. He wanted to know when the next PC meeting would be.

H. Cism stated she let him know we would be having this meeting and that his correspondence would be brought up.

G. Lamphere thanks Larry for his follow-up and says there is a lot of information on the website that could answer his questions. He says a few other correspondents did not make it into the packet and will go on the next meeting's agenda.

2023 Work Plan

Harmony-Will there be one or two meetings a month?

Mark asks if Harmony is proposing changing it starting in January.

George says December might be the start of one meeting with the holidays coming up but it might be premature to make a decision right now.

Discusses the next meeting date to be the 12th instead of the 11th or 18th. Harmony will let Mo and Gordon know.

Mark asks if the PC would go back to 2 meetings in January

George says that's open for discussion.

Mark asks that the discussion be tabled until Mo and Gordon are present.

12/12 agenda-

Thinks the PC will know if there will have been a petition filed at that point.

Stormwater on the Agenda. (Harmony will check with CCRPC and Melissa.)

Financial Report

CCRPC S100 Provisions for Housing

No work plan document for 2024 currently, Harmony will do that.

Discussions of January Meetings. 1/8, 1/22 for now and will look for alternatives if that doesn't work.

G. Lamphere thanks everyone who was present at tonight's meeting.

Adjourn:

Meeting adjourned at 8:19pm