

**TOWN OF WESTFORD
SPECIAL PLANNING COMMISSION MEETING
MINUTES FOR FEBRUARY 9TH, 2026
APPROVED ON ***, 2026**

Commissioners Present: Max Tyler, George Lamphere, Will Dunkley

Commissioners Absent: None.

Also Present: Harmony Cism (Planning Coordinator & Zoning Administrator), Maria Barden (Minute Clerk), Taylor Newton (CCRPC), Lori Johnson, Deb Jorschick (Selectboard), Carol Winfield, Maureen Wilcox, Kim Guidry, Ira Allen, Barb Peck, Ben Bornstein (Westford Rep. to CCRPC)

The meeting began at 6:30pm.

Amendments to the Agenda

None.

Citizens to be Heard - Items not on agenda.

None.

Approval of Minutes - January 19th, 2026

M. Tyler motioned to approve of the January 19th, 2026 minutes as written.

G. Lamphere seconded, motion passed 3-0.

Discussion:

LURB (Land Use Review Board) Comments on Tier 1B Opt-In Status

M. Tyler briefly goes over the history of the opt-in status for Westford, regarding Tier 1B. LURB was wondering why Westford did not opt-in for the entire village center.

T. Newton discusses Westford being one of the first municipalities to come to a decision, regarding a decision on Tier 1B in the State. The understanding from CCRPC at the time was that there would be no issues with a partial opt-in. When LURB responded to the pre-application that CCRPC put in back in 2025. They stated that, "The proposed Tier 1B area for Westford does not appear to follow parcel lines and includes perhaps only seven parcels, one of which is the municipal complex. The area is severely limited in size and constrains the ability to accommodate housing infill. The adopted Regional Planning Commission Application Guidelines of the Land Use Review Board provide: "If Tier 1B status is sought for an area that does not include the entirety of a downtown center, village center, planned growth area, or village area, the Tier 1B memorandum must explain the reasons that the entire Future Land Use area is not proposed for Tier 1B status." This explanation has not been provided and must be provided as part of the final application." The Land Use Review Board wants more information on how the partial opt-in does not exacerbate any environmental burdens. There are three options moving forward; Westford can provide additional information on why we did not fully opt-in. They can

withdraw the request, or they can expand to include all Tier 1B eligible areas. Options two and three will require Selectboard action.

G. Lamphere asks if any of these three are a showstopper for the conversation or are they going to consider all three tonight?

M. Tyler feels number one is the most problematic and he has some more questions, but he is willing to consider all three options as well.

M. Tyler feels that the neighborhood development area was what was vetted through the Town process/planning process with the public and anything beyond that was open to skepticism. It has already been designated as a development area, so it felt less controversial to opt-in to Tier 1B.

K. Guidry asked if Tier 1B means that there can be development without ACT 250 review?

T. Newton says with Tier 1B, any residential development with fifty or fewer units is exempt from ACT 250.

M. Tyler says they would still have to go through Municipal zoning approval.

T. Newton says that yes, municipal reviews do apply as do other State permits besides ACT 250.

G. Lamphere says the proposed area, size, soils, potable drinking water, we are not talking about a lot of development based on what we have in the Town Center currently. All the zoning regulations and setbacks would still take place, he does not feel there is any parcel of land that would fit what is needed for a larger project such as 30, 40 or 50 units.

M. Tyler says one of the requirements is to say we have soil capacity, which we do have although it was not approved of as a previous project, we know it exists. He says opting-in does not obligate the town to build such a capacity, but the town is saying the capacity is there.

C. Winfield reiterates the run-down that **T. Newton** gave earlier about the three options and says she did not think the State had control over municipalities and did not know that the Town needed to defend itself and the choice they made. She does not understand why the decision needs to be justified.

M. Tyler says part of the rules of opting-in were if it is not the entire eligible area then we need to explain why. When he talked to Kate McCarthy at CCRPC he explained that they felt that area had been vetted and that is why the decision was made. However, LURB wants additional information.

T. Newton clarifies what the process was when they created Tier 1B, it involves two decisions, one is the municipality deciding to opt-in and two being LURB reviewing and deciding to approve or deny the municipal request. You can find that outlined in 10VSA 60-33, it is both a municipal and State decision.

B. Peck says she agrees with **G. Lamphere** and **M. Tyler**. She says the decision Westford previously made has not been "blessed by the state", she feels there are only two options, opt-out which has its own consequences or expand and opt-in.

I. Allen is baffled by the whole thing and wishes it would go away.

G. Lamphere says one item he considered earlier was how we decided to proceed with a limited area when we did not know about the school and the reduction of grades. He wonders what other commissioners feel about expanding it to get us closer to the school.

T. Newton says if a municipality does not choose to opt-in right now, they can choose to opt-in later. CCRPC is currently trying to figure out if a municipality opts-in after the regional plan has been approved, when does the RPC bring that original Tier 1B application for that one

municipality to the LURB? It is a lot of paperwork so it is likely it would not be a fast turnaround if municipalities waited until after the regional plan was approved. They are likely to amend their plan in 2028 so that would likely be the next time they are assisting and bringing it to LURB.

L. Johnson asks if **T. Newton** could tell us what some of the other towns' reasons for opting out are.

T. Newton says every municipality has their own story. Long story short, he feels it is just town politics. Some are because they are already working on other things and do not want to focus on Tier 1B. Some are because they did not get a full vote/support from their Selectboards, others just want to wait to see how things play out before opting-in.

L. Johnson feels public outreach is important and wants to throw out the idea of following the path of some of the other communities, wait until we re-do our plan and see what the residents want before opting in.

C. Winfield agrees with waiting and not opting in now.

B. Peck feels a case could be made to go either way, she personally goes between the two. When she thinks about the Town's progress to rewrite the plan, she agrees that jumping into a bigger area might be premature. Her personal feeling now is to opt-out.

G. Lamphere asks **T. Newton** if the Town opts-out would Westford lose access or opportunity to access grants that could potentially impact what the Town does with 1705.

T. Newton says no, the village center and village area that they have mapped currently. The village center will still be enrolled in the village center program, etc. will still be eligible for any benefits the State has outlined in ACT 181.

G. Lamphere asks if there is anything they are discussing with 1705 that we could get benefits from with Tier 1B.

T. Newton Says if the Town came back and decided to do what the VCDP project wanted, it is his understanding is it would not trigger an ACT 250 permit. He thinks it is unlikely that whatever the town does it will not trigger ACT 250, this is not definitive, but odds are they will not.

D. Jorschick asks if at 1705 the town decided to expand the town office or build a new town office that ACT 250 would not be triggered?

T. Newton says that is his understanding, but the town should get a jurisdictional opinion from the ACT 250 district office to be sure.

M. Tyler asks what the entire eligible area is in terms of the Westford zoning maps.

T. Newton says it does not totally align with the zoning maps, but it is the village center and village area (purple and pink colors) on the provided maps.

W. Dunkley says when ACT 250 is triggered it is significant, and costly time-consuming process.

M. Tyler says if we had all the wastewater capacity in the world, we would still be trying to encourage people to try and develop in those areas because they would have lower bars in terms of engineering, environmental impact, and fees.

T. Newton says this exemption is up to fifty units, the Tier 1B opt-in does not change ACT 250 jurisdictional triggers related to subdivision, that jurisdictional trigger still exists.

H. Cism says the density requirements range from four structures per acre down to one principal residential structure per acre, she does not think anyone could ever do anywhere near fifty units. There is potential for some parcels to subdivide.

T. Newton says the trigger for ACT 250 is usually a “lot trigger.”

W. Dunkley says he recognizes the housing crisis that people are face to face with and he wants to do what makes sense to help those people but also wants to give residents what they feel is best for the Town.

M. Tyler asks **T. Newton** about some communities being told to reduce their Tier 1B area because they did not stick to the traditional town center.

T. Newton says there have been three regional planning commissions that have brought their draft future land use maps to the LURB for pre application review. Those eleven categories are hard to apply to Chittenden County, especially the “suburban” ones. In those communities the LURB has had a difficult time determining if the regional maps meet statutory requirements or not. He says there are some categories they need to work on, when LURB looked at the Westford map there were ZERO comments. They recognized right away that the village center and village areas are designated for growth.

M. Tyler feels that Tier 1B designation for the neighborhood development area is a symbolic gesture at best, he feels it is safe. He leans toward the village area, the need to think about Westford’s growth and if expanding that area can help facilitate the development of housing in Westford, he is open to that.

G. Lamphere discusses the steps they should take regarding a motion. Says his comment is aligned with what gives the town the most flexibility and control along with objectively putting in place the idea that we want to have more development around our town center.

*G. Lamphere motions to recommend to the Selectboard that we expand our Tier 1B areas to all eligible areas as indicated on the map. M. Tyler seconds the motion (**No further discussion by the PC**), motion passes 3-0.*

Public Comment

There were several public comments surrounding the LURB discussion.

Correspondence

- Agency of Natural Resources sent a flyer about the Lamoille River Tactical Basin Plan updates. There is a link to a survey to fill out.
- Milton will be holding a public hearing regarding updating regulations on February 17th.

The meeting adjourned at 7:39pm.