

## **Brownfields Advisory Committee Minutes DRAFT**

**Monday, November 20, 2017, 3:00 p.m. - 4:30 p.m.**

**CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT**

To access various documents referenced below, please visit:

<http://www.ccrpcvt.org/our-work/economic-development/brownfields/#advisory-committee>

### **1. Call to Order, Introductions and Changes to the Agenda**

#### Committee Members:

Curt Carter, GBIC (chair)

Sarah Bartlett, VT DEC

Marcel Beaudoin, South Burlington

Heather Carrington, Winooski

Justin Dextrateur, Redstone

Kirsten Merriman-Shapiro, CEDO

Matt Vaughn, Lake Champlain Basin Program

#### CCRPC Staff:

Dan Albrecht, CCRPC

Emily Nosse-Leirer, CCRPC

#### Others:

Ed Bove, Rutland RPC

Yves Bradley, Pomerleau Real Estate

Ray Coffey, Winooski

Paul and Lori Hayes, Owners of 2013 Roosevelt Highway (Hayes Chiropractic)

Mara Fitzgerald, Prospective Owner of 341 North Winooski

Michael Nahmias, VT DEC

Dan Voisin, Stone Environmental

### **2. Public comments on items not on the Agenda**

No public comment.

### **3. Review and action on September 11, 2017 meeting summary**

Curt moved to approve the minutes and Heather seconded. The minutes were approved unanimously.

### **4. Action on Site Nominations/Assistance Requests**

#### a. Hayes Chiropractic, 2013 Roosevelt Highway, Colchester

Petroleum Contamination (Phase I and Phase II Requested including removal of multiple tanks. DEC's Petroleum Cleanup Fund can assist)

Paul explained that the property was purchased approximately 35 years ago and that they knew there were oil tanks, but were told they were empty. When conducting work in the ROW, VTrans discovered petroleum contamination and learned it was coming from the site. ATC has confirmed that there is gasoline on the property. The property owners are now seeking ways to get the property cleaned up. They believe they innocent landowners and are seeking funding for assessment and tank removal. ATC has conducted soil samples on the property but has not gotten results from the lab. ATC is not a prequalified environmental consultant for CCRPC and therefore CCRPC cannot pay them for their work. Dan explained that this is a

complicated situation because this would require tank removal for the studies to occur, not just soil samples as CCRPC usually pays for. Dan suggests authorizing the Phase I and the creation of a workplan for the site, which would allow us to get estimates for tank removal. Paul requested that Stone Environmental not work on the project because they have worked with VTrans in the past and he is worried about conflict of interest. He indicated that Miles Waite has some familiarity with the project. Dan asked the committee to weigh in about whether he should continue seeking more information and getting price estimates for the project.

Curt asked what the future use of the property will be. Paul confirmed that he wishes to sell the property. Dan said that he spoke with the Colchester planning and zoning department and that the lot is within a Form Based Code district and there are lots of possibilities for different kinds of development, but we don't know what the end use would be.

Michael confirmed that the Petroleum Cleanup Fund could pay for cleanup here IF a \$10,000 deductible is met, but the deductible cannot include a Phase I or tank removal.

Curt indicated that he supports allocating up to \$7,000 to finish a Phase I, and then get an estimate for workplan development and the tank being pulled. The committee members agreed. Dan will move forward with these investigations.

#### b. Myers Memorial Pool, Winooski

Hazardous Materials Contamination (Phase II Supplemental Requested)

Ray explained that the City of Winooski would like to re-open the pool. City Council has approved money for the reconstruction of the pool, but is seeking funding for hazardous building materials assessment from CCRPC. Dan mentioned that the score is relatively low because it's not a housing project. Dan asked Ray how much has already been spent on assessment. Ray indicated that about \$24,000 has already been spent on assessment and site planning, but that an assessment is very important at this point of the project because they don't want to go to a bond vote without confidence that they fully understand the costs.

\$15,500 is requested here out of a budget of \$92,500 for all remaining preliminary work. The remaining \$77,000 would be funded by the City, and capital costs would be funded by a bond vote.

Curt asked whether the cost seems too high, and the committee discussed. Sarah Bartlett mentioned that this is similar to requests they get at the state level. Kirsten mentioned that the funding allocated could be lower than the requested amount. Dan mentioned that we are going through a lot of money in hazardous funding.

Matt disclosed that he and Ray are personal friends.

Dan and Kirsten asked how much other money has been spent or budgeted for brownfields specific work for this project. Kirsten made the point that the only about 50% of the brownfields funds requested by the City of Burlington have been funded by this committee, and not much money is left. She wants to know the group's position on this, and wants to know whether the applicant can move forward without this brownfields money. Kirsten also wanted to know how likely it was for this project to be completed, and wanted to know whether the study would still be useful if the building needed to be demolished. Ray confirmed that the study would be useful no matter whether the building could be rehabbed or would have to be demolished.

The committee agreed to fund the full \$15,500 of the project.

c. Champlain Transmission, 314 North Winooski Ave, Burlington  
Hazardous Materials Contamination (Phase I and Phase II Requested)

Yves explained that Champlain Transmission is a property in urban blight right now and has suspected contamination because it was previously a gas station. The property is under contract for sale right now but the prospective owners cannot find any studies or inventories of the contamination.

The plan is to rehabilitate the property as it stands but not tear it down.

Sarah Bartlett indicated that if one can reasonably argue that there might be petroleum, you can pay for the Phase I and probably the Phase II with petroleum funding. But if Phase I indicates a mixture then it might be split haz/petro.

Yves indicated that prospective uses are all restaurants or bars, with no intention to expand upward for residential. Old Spokes Home (a bike repair shop directly next door) did consider buying the property but did not make an offer.

Curt asked for clarification who the applicant is. The applicant is 314 North Winooski LLC, which is the prospective property owner. The purchase and sale agreement is conditional upon the Phase I and Phase II.

Yves indicated that there are four legal property owners, but one managing partner.

Kirsten proposed that we fund a Phase I and the preparation of a Phase II cost estimate, and then re-evaluate from there based on the results and our remaining funding.

Matt made a motion for a Phase I assessment to be funded and Heather seconded. The committee approved the motion.

d. Lynda Lee, 10 Cleveland Avenue (Rutland)

Petroleum Contamination (Supplemental Phase II Requested). Note: Rutland RPC provided \$15,693 towards Richmond Creamery in 2015.

A Phase II is needed on this site. The end use of the site will be a mixed-use development, and it will have housing that will be redeveloped by the Rutland Housing Trust. It's in a New Markets Tax Credit zone and in a walkable area downtown. (It should be noted that a project that uses New Markets Tax Credits cannot also use tax credits for permanently affordable housing projects. However, this would support the housing need in the area.

Dan asked what the full cost estimate for the project would be. Ed said that there is not a fully developed cost estimate yet, but that Kurt Muller would be the project manager and could develop this. Ed thinks that this would be about \$16,000.

Ed confirmed that this project has already been deemed eligible for petroleum funding.

Kirsten suggested that because we have a lot of petroleum funding and this project fits a lot of our goals, we should fund it fully.

Heather made a motion that we should fully fund the project up to \$20,000. Curt seconded and the motion passed unanimously.

d. Merchants Row and Canada Street (Swanton)

Further details have been provided regarding this site. The project was previously approved in concept by the committee, but no estimates were available at that time. Northwest RPC has requested approximately \$14,000. NRPC previously gave the Richmond Creamery property \$13,000 when CCRPC had run out of brownfields money. It isn't clear what the end use will be, but probably a retail or commercial mix. Committee members thought it might be an Ace Hardware.

Heather made a motion to fund the project for \$10,000, with the understanding that they might request more if they can't make up the \$4,000 difference with DEC funding. The motion was seconded and the motion passed unanimously.

5. **Adjourn**

The meeting adjourned at 4:30.