

Brownfields Advisory Committee Minutes APPROVED
Tuesday, May 21, 2019, 2:00 p.m. – 3:30 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>

Committee Members:	Staff:
Curt Carter, GBIC (Chair)	Dan Albrecht, Senior Planner
Kirsten Merriman-Shapiro, CEDO (via phone)	Emily Nosse-Leirer, Senior Planner
Matt Vaughan, Lake Champlain Basin Program	Guests:
CCRPC Consultants	Kathy O’Reilly, Town of Colchester
Miles Waite, Waite-Heidel	Robin Pierce, Village of Essex Junction
	Claudine Safar, Monaghan Safar Ducham
	Ted Chamberlin, Chamberlain Construction Inc.
	Meg McGovern, Donahue and Associates

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

The meeting began at 2:07pm. The agenda was changed for Action on Site Nominations to be discussed before the changes to the Brownfields Program Participation Form.

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

No public comment.

3. **Review and action on 4/29 meeting summary**

The summary was approved unanimously.

4. **Action on Site Nominations/Assistance Requests** (Action, 70 minutes)

Essex Junction: 1 Main Street, Road Res-Q, Village of Essex Junction, Phase II ESA Supplemental (PETRO-Non-PCF eligible, Waite-Heindel, \$1,870)

Miles explained that the Phase II scope has been consolidated to combine monitoring wells with another brownfield on the other side of Maple Street. This allows for greater efficiency and lower costs. Dan emphasized that the timing of the assessment is important, and the assessment may need to wait until after the Village closes on the property so that VT-DEC can issue an eligibility determination that we can use our Petroleum Assessment funds. Dan stated that the staff recommendation is to fully fund the request. He noted that committee member Pablo Bose had indicated via email that he is in support of all the project recommendations made by staff.

Matt made a motion, which Curt seconded, to approve the request for funding, contingent on an eligibility determination from EPA. The motion passed unanimously.

Colchester: 110 Heineberg Drive, Chamberlain Construction, Phase II ESA Supplemental (HAZ, Waite-Heindel, \$30,520)

Ted described the three different site plans that were sent out in the packet. Dan asked for clarification on how much employment would be created by this project. Ted said that the estimate of 1-2 employees is still accurate. Miles explained that there is a need for soil borings to confirm whether there are any fuel oil leaks from a suspected 500-gallon former storage tank, and another to test soil vapors from former dry cleaning. There are also three groundwater monitoring wells proposed to confirm whether there is any groundwater contaminant migration and a well to test wastewater to confirm whether there is any contamination of the septic system from any past chemical dumping in the drain. Dan asked whether dry cleaning chemicals being dumped down the drain is standard practice. Miles confirmed that it is not allowed, but DEC has suggested testing for this issue given concerns about that particular operator's past practices. Matt asked to see the original scoring of the project and the committee discussed the scoring matrix. Curt said that he is concerned why the scoring matrix the committee adopted doesn't have any criteria based on how badly contaminated the site is. Ms. Safar said that the project hasn't been a priority for DEC action. Dan explained that the staff recommendation is to fund 80% of the project as we have been for commercial projects, coming out to \$22,067. Additionally, given the relatively low anticipated employment numbers of the proposed redevelopment, staff recommends that any costs beyond the \$28,084, Dan recommended that any further work supported by CCRPC be supported at a 60% rate with overall CCRPC contributions not exceeding an additional \$5,000.

Matt said that he found 80% of the cost to be a high amount, given the low score of the project on the scoring matrix, and asked for Kirsten and Curt's opinion. Kirsten said that she thinks that maybe brownfields projects that are commercial should maybe pay more than 20% of the costs. Ms. Safar emphasized how much work has been put into getting the contaminating party to pay for it (via investigation of various insurance policies), unsuccessfully. Kathy also emphasized that this is a priority area for the town and that the town has only applied with one other project, as opposed to other municipalities with lots of asks.

Kirsten moved that the project costs be funded at 80% of the costs not to exceed \$22,067. Matt seconded the motion. The motion passed unanimously. The second part of the staff recommendation was not acted upon.

Burlington: 241-249 North Winooski Avenue, Burlington Children's Space, Phase II ESA Supplemental (HAZ, Waite-Heindel, \$2,251) and BRELLA application fee, \$500 (HAZ-Cleanup Planning)

This project is for Burlington Children's Space to purchase the part of the building that they currently occupy. There is additional testing needed to make sure that a grassy outdoor area used for outdoor play at the daycare is not contaminated with volatile chemicals and that all areas used for outdoor play are appropriately capped to prevent exposure. More mitigation might be needed, but unfortunately can't be covered by CCRPC's assessment grant.

Matt recommended that the full request be funded. Kirsten seconded the motion. The motion passed unanimously.

5. **Project Updates**

Shelburne: Fairway at Spear

Miles gave a brief update on the Fairway at Spear project, saying that research for the Phase I appears to indicate no contamination and the report should be finished soon.

6. **Update to CCRPC Brownfields Program Participation Form**

Dan walked through updates to the participation form. Kirsten asked for confirmation regarding whether an applicant can remove themselves from having their information publicized. Staff emphasized that while the client can pay for the report, we would not remove anything from the public record of our minutes. The Committee decided to remove the third “bullet point” in its entirety (both the edits and the original text) which read:

If public funds have been expended on my property, I must reimburse this cost to prevent any future disclosure (note: reimbursement is not required if disclosure is not an issue) Should I desire to not have the results be disclosed and made available to the public by the CCRPC of any assessments and studies conducted on my property funded in whole or in part by the CCRPC, I must first notify CCRPC within 15 calendar days of receipt of draft results of the assessment study of my desire to have not have the results be public and must pay CCRPC’s contractor directly for the full cost within 30 calendar days of receipt of the draft results of the assessment/study;

The first bullet of that section which read “(i)nformation collected by CCRPC or its consultant(s) is public information and will be available for public review” remains in place

By unanimous consent, the Committee approve the remaining edits. Dan indicated he would ask CCRPC counsel and DEC and EPA staff their thoughts on including the concept contained in the removed bullet point in a future version.

7. **Adjourn**

The meeting adjourned at 3:04pm.