

CCRPC Brownfields Advisory Committee Draft Meeting Agenda
11:00 a.m. – 12:00 p.m., September 11, 2023
VIRTUAL FORMAT ONLY (join online, see link below)

Join Zoom Meeting >>>>

<https://us02web.zoom.us/j/89453854393?pwd=VW1GOGlHbEtpbFJBR3B6L3d3Ujh0Zz09>

Meeting ID: 894 5385 4393 Passcode: 227722

One tap mobile: [+16469313860](tel:+16469313860),[89453854393#](tel:+16469313860),[*227722#](tel:+16469313860) US

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To access various documents related to the agenda below, please visit:

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

1. **Election of Chair and Vice Chair** (*Action, 5 minutes*)
2. **Call to Order, Introductions and Review/Approval of the Agenda** (*Information, 1 min*)
3. **Public comments on items not on the Agenda** (*Information, 1 min, longer if necessary*)
4. **Approval of Minutes** (*Action, 3 minutes*)
 - a. August 14, 2023
5. **Action on Proposals received** (*Action, 15 minutes*)
 - a. **WILLISTON, 662NXT South Brownell Rd: Nate Dagesse of World View LLC, prospective buyer**
Request: \$3,000 for Phase I ESA by Atlas Technical Consultants, LLC
 - b. **SOUTH BURLINGTON, 600 Spear Street: three LLCs, owners of 600 Spear Street**
Request: \$8,530 for Phase Groundwater Assessment and Additional Groundwater Monitoring Well Installation by LE Environmental, Inc.
 - c. **WESTFORD, 1705 Vermont Route 128, Pigeon Family Trust**
Request: \$9,945 for ECAA by LE Environmental, Inc.
6. **Continued Item: Revisions to Site Selection Criteria** (*Potential Action, 15 minutes*)
7. **New Request for Qualifications for Qualified Environmental Professionals** (*Information, 5 minutes*)
8. **Updates: staff, members, guests** (*Discussion, 5 minutes*)
9. **Adjourn**

*In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.*

Brownfields Advisory Committee, Online only
August 14, 2023 **Scheduled Time: 11:00 a.m. – 12 Noon**

DRAFT Meeting Summary

Held via Zoom: Various documents referenced below are available for download at:
<http://www.ccrpcvt.org/our-work/economic-development/brownfields/#advisory-committee>

| In Attendance (all virtual unless otherwise noted) | |
|---|---|
| Committee Members: | |
| Matthew Vaughn, Lake Champlain Basin Program | Amanda Froeschle, VT Dept. of Health |
| Sam Andersen, GBIC | Samantha Dunn, Burlington Community & Economic Development Office |
| CCRPC-retained Qualified Environmental Professionals | |
| Haley Grigel, KAS | Steve Shaw, Weston & Sampson |
| Erik Urch, Atlas Environmental | Daniel Voisin, Stone Environmental |
| Guests | |
| Kitter Spader, Briggs House LLC | |
| CCRPC Staff | |
| Dan Albrecht, Senior Planner | Darren Schibler, Senior Planner |
| EPA and State Staff | |
| Caitlyn Bain, VT DEC | |

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

Vice Chair M. Vaughn called the meeting to order at 11:02 a.m. Participants introduced themselves.

2. Public comments on items not on the Agenda

There were no members of the public and no comments provided.

3. Approval of Minutes

D. Albrecht reviewed the minutes from three 2022 meetings (2/10/22, 4/25/22 and 6/16/22), which had never been approved, as well as the minutes for July 21, 2023. He noted that in the June 16, 2022 minutes there was an incorrect funding amount for the Phase 1 ESA for Howard Center.

S. Dunn made a motion, seconded by S. Andersen, to approve the minutes of February 10, 2022. The motion passed 4-0.

S. Andersen made a motion, seconded by S. Dunn, to approve the minutes of April 26, 2022. The motion passed 4-0.

S. Dunn made a motion, seconded by S. Andersen, to approve the minutes of June 16, 2022 with corrections to the funding amounts for the Howard Center project noted by staff. The motion passed 4-0.

S. Andersen made a motion, seconded by A. Froeschle, to approve the minutes of July 21, 2023. The

motion passed 4-0.

4. Action on Proposals Received

- a. BURLINGTON: Kitter Spater on behalf of Briggs House LLC, owner of 168 Archibald Street. Request: \$46,250 for Phase II ESA by KAS, Inc.

H. Grigel, consultant for the project, reviewed the plan for the proposed Phase II Environmental Site Assessment (ESA). KAS, Inc. will investigate shallow soils with a hand auger, using 4 borings on the west side of the site and 3 on east. There is a chlorinated solvent plume from the adjacent Champlain Transmission site, so soil gas and sub-slab sampling will be done. There will be no groundwater assessment since it is known to be 90 feet below grade. Sub-slab sampling is required because the future use of the site includes residential.

K. Spater, applicant, provided more detail on plan for reuse of the property: conversion from a synagogue (currently vacant) to a minimum of 4 dwelling units and 2,000 square feet of commercial space (more than was noted in the staff recommendation). K. Spater has been in touch with Burlington Planning Commission about rezoning to allow additional commercial development. M. Vaughn asked to clarify whether the rezoning would allow only additional commercial, not additional residential? K. Spater clarified that the rezoning would allow for an additional dwelling unit as well as additional commercial space.

At D. Albrecht's question, K. Spater described the layout of the building. The basement area would include two 2-bedroom apartments. 2,000 square feet of the ground floor would be for commercial use, likely a food hall with multiple vendors operating 5 days a week. The third floor would be either an extension of the food hall (including seating / café) or two more apartment units. Either scenario would conform to zoning, including the 4 dwelling units.

D. Albrecht and K. Spater noted that there is an existing accessory structure that will be retained by the Jewish congregation for ritual washing of bodies.

D. Schibler presented the staff recommendation, which was based on the draft site selection principles (which we will talk about in more detail later in this meeting) with reference to the old ones, to fund 75% of the cost of the Phase II ESA. This is based on the fact that the applicant is a for-profit business and meets minimum thresholds for housing units and commercial floor area redevelopment, qualifying for base funding of 50%. An additional 25% in funding is recommended because the project provides additional public benefits through preservation of a historic landmark and reuse of a vacant site.

M. Vaughn asked a clarifying question about process: will the new principles replace the scoring criteria? D. Schibler responded that this is the staff's intent, which will better reflect the actual practice of the Committee's and CCRPC's approach to funding projects while maintaining better consistency with the goals of the funding sources.

S. Anderson made a motion, seconded by S. Dunn, to accept the staff recommendation to fund a Phase II ESA for Briggs House, LLC at 168 Archibald Street at 75% (\$7,695) of the total costs. The motion passed 4-0.

Staff thanked the applicant for attending and noted that there will be follow-up communications about funding authorization. At D. Albrecht's question, H. Grigel noted that there is a good chance a Corrective

Action Plan will be needed for this property, and staff asked to be kept informed of any needs for additional funding.

5. Continued Item: Revisions to Site Selection Criteria

D. Albrecht reviewed the changes to the Site Selection Principles.

The first section now lays out the process for funding requests, including required forms and selection of consultants. At S. Andersen's question, D. Albrecht clarified that applicants still must utilize consultants from CCRPC's pre-qualified list, but CCRPC will honor requests by applicants to work with a preferred consultant if they are on that list.

The second section discusses base eligibility requirements for EPA and ACCD funding, which still need to be fine-tuned by staff. There were no comments from the Committee.

The third section provides basic threshold criteria for the types of projects that can be funded, with the priorities being housing and economic development. There were no comments from the Committee.

The fourth section discusses additional tangible public benefits, which better capture the bonus criteria used in the prior selection process. A. Froeschle appreciated inclusion of upstream health considerations in this section.

M. Vaughn noted that surface water quality improvements or correction from impairments had been a bonus criterion in the prior scoring sheet, and he had hoped to move it to a core goal. He also suggested adding consideration for whether projects would negatively impact water quality. D. Albrecht noted that most projects will improve water quality by default, so D. Schibler noted that this could be added to the threshold criteria and could either be a negative or positive score.

D. Albrecht reviewed the specific funding policies for each type of assessment (Phase 1, Phase 2, CAPs, and remediation). He noted that the committee may want to consider language about caps on funding, including caps on funding for a single project. He also noted that the document includes a policy against funding projects for individual property owners only for contamination that does not involve redevelopment to provide benefits consistent with the program's goals.

Finally, D. Albrecht had added anti-displacement policies based on information from the recent National Brownfields Conference that he attended last week. He noted the tension within the brownfields community about the role of funding and redevelopment which may unintentionally aid gentrification, and the Committee's desire to set aside some of the current funding to address this issue. The Committee agreed that these are important considerations that are difficult to describe / define, but it is good to be called out in the document. A. Froeschle noted that she can provide resources on gentrification and brownfields from a public health perspective. D. Albrecht will also share resources on gentrification from the National Brownfields Conference.

D. Schibler summarized the new role of the committee in the application review process based on this document, which would include 1) confirming staff's assessment of base criteria; 2) reviewing the merits of additional tangible public benefits, and 3) considering requests above the threshold amounts. M. Vaughn suggested clarifying the role of the committee within the document.

S. Dunn suggested adding the ability for the Committee to consider requests outside the housing unit thresholds (e.g. creation of duplexes or ADUs) since the City of Burlington is trying to encourage more small-scale development. D. Schibler agreed, noting that staff set the thresholds with the goal of spending the funding on the most high-impact projects, but had no objection to adding an option for the committee to consider such requests.

M. Vaughn summarized the committee's requested changes: surface water improvement / impacts; option for additional housing units; further work on displacement / gentrification issues.

D. Albrecht discussed staff's plan for outreach under the EPA grant this coming fall, including outreach to the planning commission of the Cities of Burlington and Winooski and the Vermont Development Conference.

6. Updates: staff, members, guests

D. Albrecht noted that the Vermont Environmental Consortium conference is coming up this fall.

M. Vaughn noted that the Lake Champlain Basin Program has opened an RFP for flood relief mini-grants up to \$75,000 for non-profits (not individuals) to assist with this effort.

The next meeting agenda will include further updates to the site selection criteria, any new funding requests, and election of a chair and vice chair.

7. The meeting adjourned at 11:59 AM.

Respectfully submitted by Darren Schibler and Dan Albrecht.

**Chittenden County Brownfields Program
Site Nomination / Assistance Request Form**

*For information on types of assistance available and
CCRPC's protocol for deciding if, and to what degree to assist a request, see:
<http://www.ccrpcvt.org/our-work/economic-development/brownfields/>*

Site Name: 662 South Brownell Vacant Lot

Site's Street Address/Town/Zip Code: 662 South Brownell, Williston, Vermont 05495

Parcel Tax ID #: 759-241-11372 Property Size (Acres): 0.71

Zoning District: Gateway Zoning District West

Describe current use(s): Vacant Land

Describe former use(s): Vacant Land

Are there plans for acquisition and/or redevelopment? Yes No

If yes, attach a separate one to two-page document describing the anticipated benefits of the redevelopment such as housing units, commercial development, jobs, economic impact, recreation, etc. (see Site Evaluation Criteria at link above for the types of information to provide).

Have studies been conducted to identify or assess contamination? Yes No

If yes, please identify the title, author and date of the report, and if available, send us a PDF: _____

Potential contaminants include: Petroleum Other contaminants

What type(s) of site assessment or cleanup planning assistance are you seeking? Circle all that apply

Phase I Environmental Site Assessment

Phase II Environmental Site Assessment

Soil Monitoring during Construction

Archeological Site Assessment / Recon

Historic Preservation issues

Cleanup / Corrective Action Planning

Other

Property Owner Information:

Name: Corner Lot Trust c/o Susan Greer Signature: _____

Susan Greer
dotloop verified
09/06/23 2:07 PM EDT
E03Y-LYCN-S00A-YIQH

Mailing Address: 10 Kellogg Road, Unit 355, Essex, VT 05452

Phone: 802-324-5752 Email: su.vt@comcast.net

Nomination Submitted By:

Name or Office: Nathan Dagesse Date Submitted: 9-6-2023

Mailing Address: 355 Main Street, Suite 500, Winooski, Vermont 05404

Phone: 802-683-9967 Email: ndagesse@eivtech.com

Please Return Site Nomination Form (via PDF is preferred) to:
Dan Albrecht, Senior Planner
Chittenden County Regional Planning Commission 110 West Canal St., Suite 202 Winooski, VT 05404
Phone: (802) 846-4490 Ext. *29; Email: dalbrecht@ccrpcvt.org

662 South Brownell

Our team is proposing to build a new 10,000 SF mixed use building at the corner of Williston Road and South Brownell. The zoning district here is Gateway Zoning district west. The project is planned to include 9 housing units (5- 1 Bedroom and 4 – 2 Bedroom) and 5,000 square feet of commercial space. Allowed commercial uses include professional services, health care, and more. We have met with the zoning administrator and confirmed that this is an allowed use and in line with the town's plan. All utilities are easily accessible. The project will also include landscaped garden space around the entire site. Rendering is likeness only.



August 31, 2023

Nate Dagesse
EIV Technologies
355 Main Street
Winooski, Vermont 05404

**SUBJECT: Proposal for Phase I ESA
 Undeveloped Lot
 5098 Williston Road
 Williston, Vermont 05495
 Atlas Proposal No. TBD**

Dear Nate Dagesse:

In accordance with your request, Atlas Technical Consultants LLC (Atlas) has prepared this proposal for a Phase I ESA pertaining to the subject project located at 5098 Williston Road, Williston, Vermont 05495 for EIV Technologies.

BACKGROUND

Based on the information you provided, the Subject Property consists of an undeveloped 0.7-acre lot.

Atlas understands that the Phase I ESA is being requested in connection with a potential property transaction.

SCOPE OF WORK

Phase I Environmental Site Assessment

Atlas will perform an ESA in general accordance with *ASTM E1527-21 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The purpose of the ESA is to identify *recognized environmental conditions* in connection with the Subject Property at the time of the site reconnaissance. The scope of the ESA will include an evaluation of the user's responsibilities, physical setting, regulatory agency database information, historical uses, current operations, and interviews. The proposal attachments have a more detailed explanation of the ESA Scope of Work and any Additional Services elected by Client.

The ASTM E1527-21 Standard Practice specifies that the User of the ESA report should conduct a review of land title and judicial records for the existence of environmental liens and Activity and Use Limitations (AULs) recorded between 1980 and the present and provide results to the Environmental Professional (Atlas). In lieu of the Client conducting this review, the Standard Practice allows for the User to arrange for

Atlas to direct the search and review records for environmental liens and AULs. Per your request, Atlas will engage a search professional to acquire land title records for the environmental lien & AUL search. The Fee Estimate below includes a search for one parcel. If the acquisition of records for additional parcels or for other data beyond the fee and timing estimate of this proposal is appropriate to complete a search, Atlas will notify the Client of the estimated cost and timing.

The ESA will include a Vapor Encroachment Screen (VES) per the methodology as described in *ASTM E2600-22: Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. The purpose of the VES is to help determine if a Vapor Encroachment Condition (VEC) is identified for the Subject Property. A VEC is the presence or likely presence of vapors from chemicals of concern in the subsurface of the Subject Property caused by the migration of vapors from contaminated soil or groundwater on or near the Subject Property. The scope of the VES is variable depending on the nature of the property and information provided or developed during the ESA. Atlas will conduct a Tier 1 screening procedure using information identified by the ESA. A Tier 2 non-invasive screening procedure will be performed by Atlas if prior assessment reports or regulatory documents with sufficient soil or groundwater data are available online or are otherwise made readily available and practically reviewable by Client. If the acquisition and review of data beyond the scope and fee estimate (such as travel to a regulatory agency and/or extensive document review) of this proposal is appropriate to complete a Tier 2 screening, Atlas will notify Client of the estimated cost and timing. If supplemental Tier 2 data acquisition costs are expected, Atlas will not proceed without Client authorization unless the additional scope and fee are quoted below and accepted by Client.

FEE ESTIMATE

Our proposal is based on the assumptions and conditions provided at the time of the proposal. If these assumptions are not valid, there may be additional charges. Our total fee of \$3,000 for the proposed services will be invoiced on a "Lump Sum" basis.

| SCOPE OF SERVICES AND FEE ESTIMATE - PHASE I ESA | | |
|--|-------------------|----------------|
| Task | Attachment | Fee |
| Phase I ESA | ESA Scope of Work | \$3,000 |
| Environmental Liens/AULs Land Title Search (back to 1980) - one parcel | ESA Scope of Work | Included |
| Vapor Encroachment Screen | ESA Scope of Work | Included |
| Regulatory Agency File Review(s) for Subject Property & Adjoining Properties | ESA Scope of Work | Included |
| | TOTAL | \$3,000 |

Atlas will not exceed the Scope of Services and Fee Estimate without written authorization from Client. The Fee Estimate includes up to one (1) hour of additional consulting time, which may include edits and related consultation after the draft report is submitted to Client and prior to finalization. If further report revision, addition, or other consultation is requested, additional fees will be billed at \$150/hour. After authorization to proceed, significant scope of work alterations by Client will incur a minimum \$250 fee.

PROJECT DELIVERABLES AND SCHEDULE

Following authorization to proceed, Atlas intends to conduct the Phase I ESA and report findings as described in the table below.

| PROJECT DELIVERABLES AND SCHEDULE | | |
|-----------------------------------|-------------------|--|
| Task | Deliverable | Schedule |
| Site Reconnaissance | Not Applicable | Within five business days of authorization |
| Draft report(s) | Via email | Within 15 business days following authorization |
| Final reports(s) | Electronic copies | Within three days after receipt of review comments |

CLIENT RESPONSIBILITIES

The fee estimate and schedule in this proposal are based on Client responsibilities that include but are not limited to providing timely access to the Subject Property, a knowledgeable site contact if available to answer questions and coordinate Subject Property access, accurate Subject Property location boundaries information, third party scope of work requirements, specialized knowledge, relevant documentation and other information described in the Phase I ESA User Questionnaire attachment.

ESA USER QUESTIONNAIRE

A Phase I ESA User Questionnaire is attached to this proposal for Client use. Per ASTM Standard Practice E1527-21, Section 6, User Responsibilities, the User of the ESA report has specific voluntary obligations to help Atlas identify *recognized environmental conditions* in connection with the Subject Property. Failure to conduct these inquiries could result in a determination that “all appropriate inquiries” are not complete. It should be noted that, due to numerous Subject Property and User specific criteria that must be met at the time of seeking to qualify for landowner liability protections (LLPs), Atlas cannot make any representation or warranty regarding a User’s actual qualification for LLPs based on the ESA Report. Respondents to this questionnaire may choose to acknowledge that they have no information or actual knowledge related to environmental conditions in, on, or at the Subject Property. If a questionnaire is not acknowledged or returned to Atlas in a timely manner prior to issuance of the draft ESA report, Atlas will assume that the respondent(s) have no additional information or actual knowledge related to environmental conditions in, on, or at the Subject Property.

THIRD PARTY RELIANCE

If reliance on the report is to be provided to a third party (or parties) other than EIV Technologies, via a letter or other mutually acceptable format, that party must be identified by EIV Technologies prior to report issuance, and the third party must accept the terms and limitations in the report and/or Letter of Reliance unless an alternative written agreement is executed between Atlas and the third party.

AUTHORIZATION

If this proposal is acceptable, please sign and return the attached Client Services Agreement via email to joseph.hayes@oneatlas.com, Atlas will execute the agreement and return one copy for your files.

Thank you for the opportunity to propose on this project. If you have any questions or require further information, please email or call the undersigned.

Respectfully submitted,

Atlas

A handwritten signature in black ink, appearing to read "Joseph Hayes".

Joseph Hayes
Operations Manager
Direct: 802.338.5824
Email: joseph.hayes@oneatlas.com

A handwritten signature in black ink, appearing to read "E. Lyford".

Emma Lyford
Staff Scientist
Direct: 802.871.2072
Email: emma.Lyford@oneatlas.com

Attachments:

ESA Scope of Services
Phase I ESA User Questionnaire
Client Services Agreement



21 North Main Street • Waterbury, Vermont 05676
Phone: (802) 917-2001 • www.leenv.net

September 6, 2023

Dan Albrecht
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, Vermont 05404

RE: Cost Proposal for Brownfields Groundwater Assessment and Additional Groundwater Monitoring Well Installation, 600 Spear Street, South Burlington, Vermont

Dear Dan,

LEE is pleased to present this cost proposal for Brownfields Groundwater Assessment and Additional Groundwater Monitoring Well Installation at 600 Spear Street in South Burlington, Vermont. This proposal is based on information currently known about the Site and is due to a request from the Vermont Department of Environmental Conservation to conduct an additional round of groundwater sampling and install a compliance point groundwater monitoring well at the Site.

Pricing

LEE's cost estimate for a round of groundwater sampling is \$8,530. A task breakdown is included below:

| Task | Cost |
|--|---------|
| SSQAPP / Work Plan Preparation | \$ 770 |
| Groundwater Monitoring Well Installation | \$3,480 |
| Groundwater Sampling | \$2,590 |
| Report Preparation | \$1,690 |

This pricing is provided subject to the following assumptions:

- A SSQAPP or Work Plan will be needed.
- One additional groundwater monitoring well to a depth of 15' will be installed using a hollow stem auger drill rig, to determine if groundwater contamination is migrating to a neighboring property.
- The four existing groundwater monitoring wells and the newly installed groundwater monitoring well will be sampled for VOCs via EPA Method 8021b, and RCRA 8 metals via low-flow sampling techniques.
- All purge water is disposed of on-Site. If LEE needs to drum the investigation derived wastes and/or dispose of them in a different manner, there would be additional charges for that.



Mr. Dan Albrecht
Cost Proposal for Brownfields Groundwater Assessment, 600 Spear Street
September 6, 2023

- The final report is issued electronically in PDF format. Hard copies can be provided for an additional fee to cover the printing.
- Work will be completed within 8 weeks of notice to proceed.

LEE appreciates the opportunity to present you with this cost proposal. Please call with any questions. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Angela Emerson". The signature is written in a cursive, flowing style.

Angela Emerson, PG, EP
Senior Geologist

LEE # 19-151



21 North Main Street • Waterbury, Vermont 05676
Phone: (802) 917-2001 • www.leenv.net

September 8, 2023

Dan Albrecht, Senior Planner
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, Vermont 05404

Re: Proposal for ECAA Preparation; Pigeon Property, 1705 Route 128, Westford,
Vermont

Dear Dan,

At your request, LE Environmental LLC (LEE) is pleased to provide the following proposal to complete an Evaluation of Corrective Action Alternatives (ECAA) for the referenced property.

Work Scope

LEE will prepare an ECAA in accordance with the Subchapter 6 of the DEC I-Rule. The work scope includes:

1. The ECAA will include a summary of investigative work performed, an evaluation of alternative remediation strategies for the contaminated soil, and a recommendation for corrective action. The ECAA will utilize the existing redevelopment design to develop remedial design plans and cost estimates for cleanup. The ECAA will be submitted to the DEC for approval. LEE will respond to DEC comments on the ECAA if there are any. Completion of an ECAA would allow for stakeholders and policy makers to determine the best course of action to move forward into the corrective action phase of the project.
2. Engineering calculations and remedial design will be performed by Stevens and Associates, P.C. of Brattleboro, Vermont. LEE and Stevens and Associates, P.C. have worked as a team on several Brownfields success stories including 56 Elm Street and 11 Arch Street in Brattleboro, and the Robertson Paper Site in Bellows Falls.

Fees and Assumptions

The ECAA can be completed for a total of \$9,945 including all labor and expenses.

The cost above is based on the following assumptions:

1. The existing CAD drawings will be provided to LEE at no additional cost.

2. The existing wetlands and high-water line will be provided in the CAD file.
3. Earthwork volumes for will be calculated for two cleanup scenarios based on the existing plans.
4. Groundwater cleanup is not included in this ECAA because it is being managed by others.
5. This proposal does not include wetland delineations, a topographic survey, design of site improvements, permitting, bidding, construction administration, or site visits.
6. Once the ECCA process is completed, the project can move forward into corrective action plan. A budgetary estimate for completion of a Corrective Action Plan with the chosen alternative is an additional \$3,000.

Schedule

The ECAA can be completed within eight weeks of notice to proceed. The required DEC review period will follow.

Please let us know if there are any questions. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Angela Emerson". The signature is written in a cursive, flowing style.

Angela Emerson, PG, EP
Senior Geologist



MEMORANDUM

TO: Brownfields Advisory Committee
FROM: Dan Albrecht, Senior Planner and Darren Schibler, Senior Planner
DATE: September 8, 2023
RE: *Recommendations for Brownfields Projects Assistance Requests, 9/11/23 meeting*

Project support requests and detailed project descriptions available at:

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

a. WILLISTON, 662NXT South Brownell Rd Nate Dagesse of World View LLC, prospective buyer

>>>>Request: \$3,000 for Phase I ESA by Atlas Technical Consultants, LLC

This for-profit project meets all eligibility and site selection criteria and will provide 9 housing units (five 1-bedroom and four 2-bedroom) and 5,000 square feet of commercial space in a mixed-use building. The project is consistent with municipal and regional planning goals, municipal zoning bylaws, and is located in an area planned for growth with existing available infrastructure.

Recommendation: Using the current draft of our Funding Policy, the project qualifies for base funding of 80% of the costs of the Phase I ESA up to a maximum of \$2,400. Staff will determine whether to allocate this cost to our ACCD-MARC subgrant or our EPA grant.

b. SOUTH BURLINGTON, 600 Spear Street, 3 separate LLCs as owners of 600 Spear Street

>>>>Request: \$8,530 for Phase Groundwater Assessment and Additional Groundwater Monitoring Well Installation by LE Environmental, Inc.

This for-profit project meets all eligibility and site selection criteria and will provide 32 housing units plus a 500 Kw solar net-metering facility. The project is consistent with municipal and regional planning goals, municipal zoning bylaws, and is located in an area planned for growth with existing available infrastructure as well as planned new infrastructure. The CCRPC has previously funded a Phase I ESA for \$1,898, \$11,331 for half of the cost of a Phase II ESA with the other \$11,331 covered by a State grant, a SSQAPP for \$900 and a groundwater sampling and report for \$3,535.

Recommendation: Using the current draft of our Funding Policy, the project qualifies for base funding of at least 50% of the costs and potentially up to 80% due to its relatively high number of new housing units. However, given previous CCRPC contributions to the project, staff recommend funding 70% of the cost of this request up to a total of \$5,971. Staff will determine whether to allocate this cost to our ACCD-MARC subgrant or our EPA grant.

c. WESTFORD, 1705 Vermont Route 128, Pigeon Family Trust

Request: \$9,945 for ECAA by LE Environmental, Inc.

This for-profit project meets all eligibility and site selection criteria. The project is consistent with municipal and regional planning goals, municipal zoning bylaws, and is located in an area with existing available infrastructure as well as planned new infrastructure. The CCRPC has previously funded numerous prior assessments at the property

Recommendation: Using the current draft of our Funding Policy, the project qualifies for base funding of at least 80% of the costs given the planned redevelopment by a future non-profit to be determined. As the project, if fully completed, would provide multiple tangible public benefits, staff recommend fully funding the preparation of this ECAA as it will answer many questions about the potential cost of cleanup. Staff will determine whether to allocate this cost to our ACCD-MARC subgrant or our EPA grant.

Chittenden County Brownfields Program Funding Policy
Working Draft for Brownfields Advisory Committee Review at 9/11/23 meeting
New text in green, since last meeting, should be further discussed

Procedure for Review of All Brownfields Technical Assistance Requests

- Requests for funding of technical assistance (Environmental Assessments and Corrective Action Planning) must be made in writing to CCRPC staff using the [Site Nomination / Assistance Request Form](#).
- CCRPC staff will review the request to determine project eligibility and the requested funding amount relative to the requirements and available funds from the funding sources that support the CCRPC Brownfields Program.
- Upon submission of the required forms, CCRPC staff will select a consultant from its pre-qualified list consistent with its procurement policies. If the applicant has a preferred consultant from among CCRPC's pre-qualified firms, CCRPC will use that firm unless CCRPC staff determine that the consultant is overburdened with work or there are other good reasons, consistent with CCRPC's procurement policy, that another prequalified consultant would be a better fit.
- Once a consultant is selected, CCRPC staff will forward the funding request with a recommended action to the Brownfields Advisory Committee (BAC) at their next available meeting (typically 2nd Monday of each month from 11:00am-12:00pm) unless the project timeline warrants a special meeting.
- Staff and/or the applicant and their consultant will present the request to the BAC.
 - The role of the BAC in reviewing funding requests is to confirm staff findings of base criteria for funding, and to consider allocation of funding above the threshold amounts outlined in the funding policy.
 - The BAC will generally act to request additional information, deny the application, approve as recommended by staff, or approve with modification to the recommended funding amount.
 - Any action to modify funding amounts must be consistent with the Criteria for Site Selection, Funding Policies and Caveats below, the amount of grant funds available, the terms and conditions of the funding source, and any applicable state and/or federal requirements.

Project Eligibility Requirements

Before CCRPC will issue a Task Order to one of its consultant firms pursuant to the recommendation of its Brownfields Advisory Committee, the project must meet the following requirements:

- The property owner must sign a Participation Agreement and Site Access Agreement.
- If using U.S. Environmental Protection Agency funds, the site meets the [Vermont Department of Environmental Conservation eligibility criteria for petroleum sites](#) and [EPA eligibility criteria for hazardous sites](#).

- If using Vermont Agency of Commerce and Community Development funds, an application to enroll the property in [BRELLA](#) has been approved by DEC or DEC has indicated that the site is eligible for enrollment.

Criteria for Site Selection

All projects assisted by CCRPC must meet all of the following criteria:

- Sites should be located in areas that have existing infrastructure (water, sewer, roads, electricity, heating systems, etc.).
- The owner/developer has a conceptual plan for reuse or redevelopment of the site and has contacted the appropriate municipal staff to determine compatibility with bylaws and ordinances.
- Reuse of the property is generally consistent with goals and actions in municipal and regional plans.

All projects funded by CCRPC must meet at least one of the following criteria:

- The project creates new housing units in existing infrastructure service areas and in areas planned for growth as specified in municipal and regional plans (top priority).
- The project supports economic development or creates recreational opportunities or open space (next highest priorities).
- The project provides tangible public benefits or amenities, particularly to historically or currently underserved populations, including but not limited to:
 - Creation of publicly accessible space, including recreational (parks, natural areas, trails, sports facilities), other public realm elements (sidewalks, plazas, storefronts), or civic buildings and spaces
 - Provision of health services such as physical or mental health clinic, pharmacy, secure needle drop-off
 - Increased food security through establishment of community gardens, food banks, grocery stores targeted to serve low- and middle-income residents, etc.
 - Revitalization of a structure that has been deemed vacant, abandoned, physically unsafe or a threat to public health by the municipality or the State.
 - Preservation of existing naturally occurring affordable housing, tenant relocation benefits / assistance, or providing a right to return for tenants in buildings to be redeveloped.
 - Application of Transportation Demand Management practices that will reduce single-occupancy vehicle trips, increase public transit access, or reduce resident transportation expenses.
 - Provision of services or facilities that reduce public tax burden such as a municipal office, public works garage, water or sewer infrastructure that increase capacity beyond the funded site, construction of public streets, etc.

Policy for Funding of Phase I Environmental Site Assessments (ESAs)

- Applications from non-profit organizations and municipalities generally will be fully funded (100%) up to a maximum of \$5,000.
- Applications from for-profit entities generally will be funded at 80% of the Phase I ESA costs, up to a maximum of \$4,000 covered by CCRPC.
- Applications for revised or repeated Phase I ESAs after CCRPC funding of an initial Phase I ESA will only be funded, up to a maximum of \$3,000, for non-profit and municipal projects that will result in the creation of at least four new units of housing.

Policy for Funding of Phase II Environmental Site Assessments (ESAs), Hazardous Building Materials Assessments, Supplemental Assessments & Corrective Action Plans (CAPs)

- Applications from non-profit organizations and municipalities will be funded at a minimum of 80% of the quoted cost of Phase II ESAs plus other Assessments and CAPs, up to a combined maximum of \$40,000.
- Applications from for-profit entities will be funded at a minimum of 50% and a maximum of 80% of the cost of Phase II ESAs plus other Assessments and CAPs, up to a combined maximum of \$40,000.
 - In addition, for-profit projects requesting funding for any assessments or planning work other than a Phase I ESA must create at least **four** new housing units and/or at least **2,000** square feet of new commercial space. **The BAC may approve funding for projects by for-profit entities creating fewer than four new housing units provided the project also either promotes economic development, provides recreational opportunities and/or open space or provides tangible public benefits AND advances the municipal and regional plan.**
- At the discretion of the CCRPC in consultation with its Brownfields Advisory Committee, additional funding beyond combined maximums may be allocated for any project that provides **at least #** permanently affordable housing units or other tangible public benefits as outlined in the Principles for Site Selection and Design.
- The CCRPC and the Committee can establish upper limits of contributions towards a single project at any time to be able to adequately support a wide variety of projects that are consistent with the Guidelines as noted above and consistent with the goals and purposes and requirements of any grant funds the CCRPC receives.

Caveats:

CCRPC will generally not provide funding for projects consisting of individual homeowners or property owners to address a contamination concern that does not also involve redevelopment of the property that provides new benefits or services as noted above.

Projects that would require displacement / eviction of current residents of a proposed site generally will not be funded if there is not an adequate plan and funding and processes in place to mitigate such impacts.

Projects that create undue adverse impacts to surface waters will not be funded.