

Brownfields Advisory Committee, Online only
September 11, 2023

APPROVED Meeting Summary
Scheduled Time: 11:00 a.m. – 12 Noon

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	
Committee Members:	
Sam Andersen, Greater Burlington Industrial Corporation	Amanda Froeschle, VT Department of Health
Sam Arnold, Community Health Centers of Burlington	Samantha Dunn, Burlington Community & Economic Development Office
Jon Rauscher, City of Winooski Public Works	
CCRPC-retained Qualified Environmental Professionals	
Erik Urch, Atlas Environmental	Angela Emerson, LE Environmental
Steve Shaw, Weston & Sampson	
Guests	
Nathan Dagesse, EIV Tech & World View LLC	Erin De Vries, Vermont River Conservancy
CCRPC Staff	
Dan Albrecht, Senior Planner	Darren Schibler, Senior Planner
Environmental Protection Agency (EPA) and VT Department of Environmental Conservation (DEC) Staff	

1. Call to Order

D. Albrecht called the meeting to order at 11:03 a.m. Participants introduced themselves.

2. Election of Chair and Vice Chair

D. Albrecht clarified the role of the Chair as primarily running the committee meetings.

D. Dunn made a motion, seconded by J. Rauscher, to elect Sam Andersen as Chair of the Brownfields Advisory Committee. The motion passed 5-0.

D. Albrecht asked for nominations for Vice Chair, noting that Matt Vaughn currently acts as Vice Chair. No motions were made, and D. Albrecht suggested this be revisited at the next meeting.

3. Introductions and Changes to the Agenda

There were no proposed changes to the agenda.

4. Public comments on items not on the Agenda

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

5. Approval of Minutes

There were no comments on the minutes from August 14, 2023.

A. Froeschle made a motion, seconded by S. Dunn, to approve the minutes of August 14, 2023, as drafted. The motion passed 5-0.

6. Action on Proposals Received

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

N. Dagesse described the project location (in the Gateway District of Williston) and proposed building, which would be mixed-use (commercial on the ground floor and apartments above). He noted that it is not yet clear if affordable housing will be included, but it may be under Act 47.

D. Albrecht asked about the timeline for Phase I & II. N. Dagesse responded that the closing is 10/27 and that the Phase I ESA would be done as soon as possible within about 3 weeks, and the Phase II would be done as quickly as possible after that and before the closing. Following closing, they will move into permitting and design.

E. Urch described the Phase I proposal, noting that it is a vacant site but that there is a known release from Commerce Street and possible issues from a gas station nearby.

D. Albrecht reviewed the staff recommendation, noting that the project meets all requirements for base funding of 80% of the Phase I costs under the current site selection policies. He noted that this could be covered via a Task Order under CCRPC's EPA grant since it is under the Federal micro-purchase threshold of \$10,000 – this could also accelerate the project timeline. D. Albrecht still recommended enrolling the project in BRELLA.

There were no questions from the BAC.

S. Dunn made a motion, seconded by J. Rauscher, to accept the staff recommendation to fund the project at up to 80% of the Phase I costs. The motion passed 5-0.

D. Albrecht stated that he will be in touch with N. Dagesse to obtain a site access form and a program participation form. He noted to E. Urch that there will be an EPA eligibility form to submit.

b. SOUTH BURLINGTON, 600 Spear Street: three LLCs, owners of 600 Spear Street

Request: \$8,350 for groundwater assessment, additional groundwater monitoring, and well installation by LE Environmental, Inc.

D. Albrecht described the project history, which has received CCRPC brownfields funding previously for Phase I and Phase II ESAs. The site is approved for 32 units of housing (in 4-unit buildings) and a ground-mounted solar facility by the South Burlington Development Review Board. A. Emerson described the requirement by VT DEC for follow-up groundwater monitoring due to exceedances of naphthalene, lead and arsenic from prior monitoring. They also found that the groundwater was flowing in a different direction than expected, towards a neighboring property; the proposal includes installation of a new well on the west side of the property to ensure contaminants do not travel to this property. A. Emerson

noted that there were no known sources for the contamination, likely only small spills (she also noted that the naphthalene exceedance is very low).

D. Albrecht reviewed the staff recommendation, which would normally be for at least 50% but up to 80% as a new project that includes a significant amount of new housing. However, given the previous CCRPC funding, staff recommend covering 70% of this request and also funding through the EPA grant since it falls below the micro-purchase threshold.

A. Froeschle asked if any of the proposed housing units would be permanently affordable. D. Albrecht believed not, since they were originally permitted under older regulations that did not require this.

S. Dunn made a motion, seconded by J. Rauscher, to accept the staff recommendation to fund the project at up to 70% of the groundwater monitoring costs. The motion passed 5-0.

c. WESTFORD, 1705 VT-128, Pigeon Family Trust

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

D. Albrecht provided an update on the project. The Town of Westford received a grant to complete a conceptual design for the property to include some housing, some commercial, and a path down to the Browns River. The site design has recently been finished. CCRPC has also funded the now-complete stormwater design work for the Town green, which discharges onto the Pigeon property. Given the progress on the designs, LE Environmental is now ready to perform the Evaluation of Corrective Action Alternatives only (scoping / cost estimates for cleanup). This will support the Town seeking additional grants for cleanup as well as inform the November bond vote for public wastewater by the Town.

A. Emerson noted that the contamination is mostly confined near the existing historic structure with some northward towards the river, primarily PAHs and metals. There was also groundwater contamination due to the presence of an underground storage tank that has been removed and is being managed separately by VT DEC.

E. De Vries described the interest of Vermont River Conservancy in the project, who signed up as the BRELLA applicant for the project due to their goal of creating access to the Browns River from the project. VRC's biggest question mark at this point is the uncertainty of funding from the Vermont Housing Conservation Board for the conservation easement. VHCB is asking for another appraisal of the property since the one completed by the landowner (Mr. Pigeon) did not meet their standards. She asked whether VRC should wait for the ECAA results before requesting the appraisal, and D. Albrecht confirmed that this would be helpful. He also noted that the bond vote may affect the result of the appraisal for better or worse, but CCRPC is trying to keep the project moving to show good faith to DEC on eventually completing the CAP. E. De Vries stated that VHCB may be willing to help fund the costs of the appraisal, but that this would require the cooperation of Mr. Pigeon. At D. Albrecht's question, A. Emerson noted that the ECAA normally takes 6 weeks, but they can try to get it done sooner if given the go-ahead. S. Dunn noted that the appraisal can get started with the understanding that the ECAA results will be incorporated when available. D. Albrecht also noted that the Town was awarded additional state funding to construct the project if the bond vote passes.

D. Albrecht reviewed the staff recommendation for 100% of funding of the ECAA due to the multiple public benefits if the project is fully completed as designed and the fact that a municipality is the

applicant. He noted this funding could come from the new EPA grant since this project previously used EPA money and like the other projects could be tasked to the consultant as a micro-purchase.

A. Froeschle made a motion, seconded by J. Rauscher, to accept the staff recommendation. The motion passed 5-0.

7. Continued Item: Revisions to Site Selection Criteria

D. Albrecht reviewed the changes to the Site Selection Principles that staff made from the prior BAC meeting. The goal is to codify and clarify current procedures, including the procedure for receiving, reviewing, and approving applications.

D. Albrecht pointed the committee to the points of discussion for today: the site selection criteria. In addition to the threshold criteria, staff added a requirement that a project is consistent with municipal and regional plans. Staff also clarified that all projects must meet at least one of three criteria: creation of new housing units, creation of economic development or recreational opportunities, or provide one of a list of tangible public benefits. These are meant to be a catch-all for good projects and are not limited to what is listed.

S. Dunn asked for clarification on the inclusion of “secure needle drop-off.” D. Schibler noted that this was just an example to show the range of public health services that could meet this criterion. S. Dunn and A. Froeschle suggested replacing this with “or any facilities that support physical or mental health and wellness.”

D. Albrecht noted that Transportation Demand Management was a new criterion for committee discussion. The Committee was supportive of this since it could include a range of benefits (EV charging, car share, bike lanes, etc.).

D. Albrecht reiterated the funding and cost share policies for Phase I ESAs vs. other types of assessments, clarifying the policy for repeated Phase I ESAs. He noted that staff clarified there is still required match of 20% for for-profit development

Staff provided background on the policy to limit funding to projects that provide more than 4 new dwelling units. First, Act 47 now enables up to 4-unit dwellings at a density of 5 units per acre in any areas served by public water and sewer; this will result in many potential new projects. However, such projects have similar contamination assessment costs and don't provide as much new housing, i.e., a Phase II ESA typically costs \$20k minimum whether the project provides 2 new housing units or 50 units). Given the limited grant funding, CCRPC staff determined that it would be a more efficient use of funds to support larger projects. However, there is still an opportunity to fund such projects if they meet other criteria. S. Dunn advocated to retain some flexibility for the committee to approve projects under 4 units regardless of other criteria. D. Schibler suggested setting up a scattered sites program, especially if they were located geographically close, to make more efficient use of funds. D. Albrecht suggested setting up an ad hoc technical assistance program, with other funding sources, with CCRPC's retained consultants for these sites. A. Froeschle said something that would tip the scales for a small project is if the housing was made permanently affordable, which D. Schibler noted would qualify the project for funding under the policy as written. To wrap up the discussion, D. Albrecht suggested adding a catch-all statement that the Committee may consider other requests that don't strictly meet criteria if they are deemed to advance the goals of the program.

J. Rauscher asked whether CCRPC ever receives requests that clearly can't be funded. D. Albrecht provided a request for assessment help of a property with an old dump on it in Huntington but it was turned down by CCRPC and the Committee because it wasn't in the Village area, and the proposal didn't include any housing even though there was potential for it. Another example was an individual home in the South End of Burlington, but mostly because the landowner didn't want to sign the participation agreements. Finally, some projects are not eligible for BRELLA, and some applicants have already contracted with consultants who are not on CCRPC's pre-qualified list.

D. Albrecht stated that staff would clean up the policy for a final vote at the October BAC meeting.

8. New Request for Qualifications for Qualified Environmental Professionals

D. Albrecht briefed the BAC on the issuance of a new RFQ for CCRPC's brownfields consultants noting that EPA's procurement policy has changed (specific to the criteria used for scoring) which required a new solicitation. This does not reflect on the quality of our current retained consultants and he expects that all the current ones (and perhaps some new ones) would submit Statements of Qualifications. Statements are due on October 6, but in the meantime any EPA-funded projects could be funded via Task Order to our current consultants as long as the cost is under the \$10,000 federal thresholds for a micro-purchase.

S. Dunn requested that new requests be accompanied by an update of current funding available from CCRPC's various sources.

9. Updates: staff, members, guests

There were no additional updates.

S. Dunn made a motion, seconded by A. Froeschle, to adjourn the meeting. The motion passed 4-0.

10. The meeting adjourned at 12:07 PM.

Respectfully submitted by Darren Schibler and Dan Albrecht.