



BROWNFIELDS ADVISORY COMMITTEE

April 16, 2018 at 4 – 5:30 pm
CVRPC Office

AGENDA

<u>Page</u>	<u>Time</u> ¹	<u>Description</u>
	4:00	Adjustments to the Agenda Public Comments
2	4:05	Meeting Minutes (enclosed) ² – March 14, 2018
4	4:10	Program Updates (enclosed) An opportunity for questions about program updates
10	4:30	Request for funds (enclosed) ² Request for additional funds for Woodbury Environmental Site Assessments
	5:00	Committee Membership & Appointments Updates on membership, renewal and recruitment
	5:30	Next Meeting <ul style="list-style-type: none"> - Meeting date – May 21, 2018 - Potential presentations: Bonacorsi Phase 2, Ayers Auto CAP, 51 Prospect Street Ph 2 Presentation.
		Adjournment

¹ Times are approximate unless otherwise advertised.

² Anticipated action items

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Brownfields Advisory Committee
DRAFT Minutes
Special Meeting – March 14, 2018

Committee Members:

<input checked="" type="checkbox"/>	Janet Shatney, Barre City Commissioner	<input checked="" type="checkbox"/>	James Stewart, Central Vermont Economic Development Corporation Alternate
<input checked="" type="checkbox"/>	Julie Potter, East Montpelier Commissioner	<input checked="" type="checkbox"/>	Tim Ross, Union Bank (finance)
<input checked="" type="checkbox"/>	Ron Krauth, Middlesex Commissioner	<input type="checkbox"/>	Vacant, Town of Northfield (real estate)
<input checked="" type="checkbox"/>	Don La Haye, Waitsfield Commissioner	<input type="checkbox"/>	VACANT (environment)
<input type="checkbox"/>	VACANT, Capstone Community Action (at-risk populations)	<input type="checkbox"/>	Joan Marie Misk, Dept. of Health
<input type="checkbox"/>	Gunner McCain, Central Vermont Economic Development Corporation	<input type="checkbox"/>	Steve Comolli, Downstreet Housing & Community Development (housing)
		<input type="checkbox"/>	DEC Representative (Lynda Provencher)

1

2 Staff: Clare Rock

3 Members Tim Ross and Ron Krauth joined meeting via conference call.

4

5 **Adjustments to the Agenda**

6 None.

7

8 **Public Comments**

9 None.

10

11 **Meeting Minutes**12 *J. Potter made a motion to approve the January 29, 2018 minutes, seconded by R. Krauth, all in favor. J. Stewart abstaining. Motion carried.*

13

14
15 The committee does not need to approve the February 28, 2018 meeting summary, as they are not
16 formal minutes due to a lack of quorum at that meeting.

17

18 **Site Prioritization**19 Discussion of enrolled sites and the allocation of remaining funds for additional assessment activities as
20 per the Site Prioritization materials contained within the packet. Based upon discussion the committee
21 agreed completing the Granite Works Phase 2 is a priority as well as completing the Woodbury Phase 2.
22 Granite Works is seeking additional funding now, and staff recommends setting aside some funds to
23 ensure the Woodbury Phase 2 is completed in the event of any cost increases.

24

25 Due to the lack of available funds and the “redevelopment readiness” of the Woodbury CAP, this is not a
26 priority under this funding round. In comparison to the other sites, Keith Ave is not a priority, primarily
27 due to the lack of available funding. Even if we had funds to cover the petrol portion, this would not
28 move the project forward as it also needs hazardous funds.

29

30 **Request for funds**

1 Request for Supplemental Phase 2 Investigation at Granite Works, Montpelier –
2 There are no available uncommitted hazardous funds to cover the hazardous portion of the Granite
3 Works Phase 2, but there is enough to cover the petrol portion. J. Potter suggested asking EPA/DEC if it
4 is possible to cover the entire investigation with petrol funds because such a small portion is hazardous.
5 Rock shall inquire. If this is possible then the entire investigation could be covered.

6
7 *J. Potter moved to approved up to \$32,000 (in petrol funds) for the Granite Works Phase 2, seconded by*
8 *J. Stewart. Motion carried.*

9
10 Request for Supplemental Testing at Keith Ave, Barre City –
11 Due to the lack of funds, Rock has reached out other regional planning commissions to seek additional
12 funding and should here back soon.

13
14 *J. Stewart moved to not approve the Keith Ave funding request due to the lack of available funds, and*
15 *directed staff to seek other funding sources and recognizes if we receive more funds we will fund this*
16 *project, seconded by J. Potter. Motion carried.*

17
18 **Committee Membership & Appointments**
19 Review membership and expirations. J. Potter would like to step off the committee upon the expiration
20 of the term, which will be effective in July. R. Kruath, D. LeHaye, and J. Shatney agreed to stay on the
21 committee. We will need to seek one more CVRPC Rep, plus a CVRPC alternate. J. Potter suggest J.
22 Shatney asks Laura Hill-Eubanks of she'd like to be appointed, plus ask the Montpelier Rep.

23
24 Rock will follow up with T. Ross, J. Misek, and S. Camolli, about their willingness to continue on the
25 committee.

26
27 **Next Meeting**
28 Next Meeting date will be April 16, 2018 at 4pm – back to the regular schedule.

29
30 Potential presentations: Bonacorsi Phase 2 (of the results are in), Ayers Auto CAP, 51 Prospect Street Ph
31 2 Presentation.

32
33 **Adjournment**
34 *D LaHaye moved to adjourn at 5:05 pm, seconded by r. Krauth. Motion carried.*



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2 **BROWNFIELD PROGRAM UPDATES**

3 April 11, 2018

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5 These updates keep the Brownfields Advisory Committee informed about program activities, potential
6 modifications to state and federal programs and practices, and other news that may be of interest.
7 Acronyms and brownfield-related terms are defined at the end of this document. Please feel free to
8 share additional acronyms or terms you would like explained.

9

10 **Enrolled Sites**

11 **Woodbury Country Store, Woodbury**

Reuse: Greenspace - Floodplain Buyout and Restoration
 Owner: Kim Sample and Kirk Gallant
 Developer: Town of Woodbury
 Assessment Activity: Phase 2
 Assessment Status: Phase 2 ESA workplan pre-preparation
 Funds Authorized: \$40,000 – Petroleum & Hazardous
 Contractor: The Johnson Company (JCO)
 BRELLA: Application initiated; currently on hold (?)*

12

13 Update: The Phase 1 contract is closed. While the cost of the work completed came in under the
14 contract amount, it was higher than anticipated. This was due to addressing QAPP comments,
15 participation in a conference call with the Town on 2/22/2018 and follow up with the building
16 materials assessment sub-contractor (in response to Town questions.) Staff will be requesting the
17 Committee approval for up to \$5,000. See Request for Funds.

18

19 Next Steps: Field work is scheduled to start on April 24, 2018. Upon preliminary results staff will
20 coordinate an all stakeholders meeting (town, property owner, VTrans, FEMA, DEC.)

21

22 **Bonacorsi-Capital Candy, Barre City**

Reuse: Economic Development – Warehouse Renovation
 Owner: N & M Investments
 Developer: Capital Candy Company, Inc.
 Assessment Activity: Phase 1 and 2 ESA
 Assessment Status: Phase 2 workplan developed
 Funds Authorized: \$40,000 - Hazardous Materials
 Contractor: The Johnson Company (JCO)
 BRELLA: Application not submitted to DEC

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2 Update: Site work took place during the weeks of 2/12-2/19. Staff visited site during parking lot drilling
3 to see process.

4
5 Next Steps: Draft report expected during the week of April 16, 2018. Anticipate CAP needed. CAP
6 funding already approved by Committee as part of Phase 2 funding approval.

7

8 **Ernie's Garage/Ayer Autobody Expansion, Barre City**

Reuse: Economic Development – Business Expansion
Owner: 561-567 North Main Street, LLC
Developer: 561-567 North Main Street, LLC (David Ayer)
Assessment Activity: Phase 2 supplemental plus Corrective Action Plan
Assessment Status: Corrective Action Plan in progress
Funds Authorized: In addition to Phase 2 funds, \$8,000 for Corrective Action Plan
Contractor: Stone Environmental (Stone)
BRELLA: Enrolled

9

10 Update: The Supplemental Phase 2/ECAA field work and analytical results are complete. The
11 Supplemental Phase 2/ECAA + CAP report was completed and submitted to EPA and DEC in late
12 March 2018. EPA had no comments. DEC has reviewed the ECAA and provided comments to Stone
13 regarding the need to evaluate the potential for vapor intrusion at the residential property (which
14 was initially proposed to be razed and is now to remain on the site for the near future.) DEC also has
15 questions regarding a couple of the proposed alternatives for the garage. Stone will be meeting with
16 DEC to review the comments on 4/13/2018.

17

18 Next Steps: Receive update from DEC and Stone meeting and determine next steps.

19

20 **Keith Avenue/Pearl Street, Barre City**

Reuse: Economic Development & Transportation – Municipal Parking Lot
Owner: City of Barre
Developer: City of Barre
Assessment Activity: Corrective Action Feasibility Investigation (CAFI) & Corrective Action Plan (CAP)
Assessment Status: Corrective Action Plan has been submitted to DEC for final review.
Funds Authorized: \$26,638 - currently \$16,716 Hazardous Materials and \$9,003 Petroleum
Contractor: Stone Environmental (Stone)
BRELLA: Enrolled

21

22 Update: DEC is requesting additional testing. Staff met with Barre City reps, DEC Site manager and Stone
23 Environmental to discuss the additional work. Stone subsequently provided a cost estimate for the
24 work. Based upon outcomes of the last BAC meeting, CVRPC doesn't have adequate funding to cover
25 this Supplemental Phase 2. Rock provided project information to both Chittenden County Regional
26 Planning Commission and the Two Rivers Ottaqueche Planning Commission (TROC) to see if this
27 work could be funded with their assessment funds. Rock and Stone participated in a Chittenden
28 County Steering Committee meeting and requested funds. This was not approved. TROC also decided

1 not to fund the request. Rock has followed up with DEC also, funding unlikely.

2

3 Next Steps: Follow up with the City of Barre. City may consider funding this work themselves.

4

5 **Town Fire & Recycling Station, Whiting**

Reuse: Public – Town Fire & Recycling Station
 Owner: Town of Whiting
 Developer: Town of Whiting
 Assessment Activity: Phase 2 supplemental
 Assessment Status: Phase 2 report completed.
 Funds Authorized: \$11,920 - Petroleum
 Contractor: LE Environmental (LEE)
 BRELLA: Application not submitted to DEC

6

7 Assessment work complete.

8

9 **Clark's Feed/51 Prospect Street, Barre City**

Reuse: Economic Development & Transportation – Private Parking Lot for Previously
 Redeveloped Commercial Property
 Owner: Metro 51 LLC
 Developer: 51 Prospect LLC
 Assessment Activity: Phase 2 ESA & Corrective Action Plan
 Assessment Status: Phase 2 site work completed
 Funds Authorized: \$20,000 - Hazardous Materials
 Contractor: Stone Environmental (Stone)
 BRELLA: Enrolled

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11 Update: Phase 2 report complete and sent to DEC and EPA for review. Stone recommended that the
 12 paving be maintained as a de facto barrier and that the Site have institutional controls preventing use of
 13 groundwater (there is low level PCE in the up gradient well) and to maintain the pavement as a
 14 protective barrier.

15

16 Next Steps: DEC will need to review and comment. If DEC agrees that no CAP is needed, assessment
 17 work may be completed.

18

19 **Union Elementary School, Montpelier**

Reuse: Public - Playground
 Owner: City of Montpelier
 Developer: Montpelier Public Schools
 Assessment Activity: Phase 2 ESA and Corrective Action Plan
 Assessment Status: Corrective Action Plan nearly complete
 Funds Authorized: \$70,000 - Hazardous Materials
 Contractor: The Johnson Company (JCO)
 BRELLA: Application in progress

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Update: Work on the CAP is nearly complete. The consultant team lead by The Johnson Company basically deconstructed every surface cut relative to proposed treatment approach and redesigned the guts of the entire project. In other words, they peeled back the onion layers, calculated each layer's volume and proportional treatment, and layered them back into a whole.

Staff met with DEC and the School District Facility Manager to discuss the Brownfields Reuse and Environmental Liability Limitation Program (BRELLA) and the application process. BRELLA is Vermont's environmental liability limitation program. It provides a way out of the liability chain for prospective purchasers and existing owners who performed due diligence prior to purchase. BRELLA enables redevelopment to proceed knowing that legal and financial risks associated with contamination have been put to rest. For the MUES site, the Montpelier-Roxbury School District is considered a prospective purchaser. The new District will take ownership of the property on July 1. CVRPC has offered to assist the District with the BRELLA application.

Next Steps: The draft CAP will be sent to CVRPC, DEC, and school officials for a first review next week. Once revisions are complete, the final draft CAP will be sent to DEC to begin the official approval process. This process includes a 30-day public comment period. CVRPC and site partners will host a public engagement meeting during the public comment period to present the CAP recommendations, explain the CAP to the community, and further engage the community in the revised site design in light of contamination issues. Work on this site is expected to be complete by July 1.

Montpelier Granite Works, Montpelier

Reuse:	Economic Development – Commercial
Owner:	Montpelier Granite Works
Developer:	Steve Ribolini/Larry Williams
Assessment Activity:	Phase 2 and Supplemental Phase 2 ESA
Assessment Status:	Supplemental Phase 2 site work underway.
Funds Authorized:	\$78,000 - Hazardous and Petroleum (doesn't include build. material assessment)
Contractor:	The Johnson Company (JCO)
BRELLA:	DEC issued a letter of eligibility to previous prospective purchaser

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Update: The letter drafted by JCO (outlining the current assessment status of the property so the prospective purchaser may clearly communicate the status with the lending institution) was distributed. The prospective purchaser requested a meeting with DEC, JCO and lender to review the contents of the letter. Staff attended the meeting. Based upon the Committee approval of funds at the last meeting, the property owner will be contributing funds to cover the hazardous portion of the Supplemental Phase 2. Cost estimate of Ph 2 Supplemental is \$28,802 = \$27,353 petrol + \$1,448 haz.

Next Steps: Phase 2 site work in underway. Anticipate preliminary results by early May.

Site Recruitment & Program Outreach

Staff responded to another inquiry regarding the junkyard on Route 2, in Moretown (opposite the

1 landfill.) Staff discussed briefly the petrol requirements and indicated CVRPC's limited funds. Referred
2 person to DEC Brownfields Manager.

3
4 Stone Environmental is working with a new owner of a former gas station in Middlesex and inquired
5 about the availability of funds.

6
7 Staff attended a meeting with the Granite Works Prospective Purchaser, his lender (Mascoma Saving
8 Bank), Kim Caldwell (DEC Site Manager) and Kurt Muller (Johnson Company) to review the assessment
9 process and the status of the property. The purpose of the meeting was to inform the lender of the
10 assessment work and the upcoming outcomes.

11

12 **Work Plan and Budget**

13 Previous program updates indicated that other RPC's have available funding for additional assessment
14 work which can be used on Central Vermont sites. This may not be the case. Staff emailed all other
15 RPC's inquiring about available funds. Based upon responses, 2 other RPC had funds. Based upon further
16 follow up, neither of these RPC have funds available for properties in Central Vermont.

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18 Staff submitted a minor budget adjustment to EPA, which was approved in late March. The purpose is to
19 move unused travel and supply funds into personnel funds. Contractual funds remain the same.

20

21 Staff anticipates expending all funds within the grant period. But if for some reason, CVRPC doesn't draw
22 down contractual funds by June 2018, CVRPC should initiate process of sending remaining funds to
23 other RPC's before the close of the grant period. Grant ends by September 2018.

24

25 See attached Budget Spreadsheet for current funding status.

26

27 **Other**

28 Staff will attend a State Brownfields meeting in Springfield on April 30.

Site	Committee Approvals			Contracted (CVRPC has signed contracts for this specific and \$ amount)			Funding requests and future assessment activities			Estimated return (difference between Committee Approval and Contracted Total)				
	Total	Committee Motions/Approvals	Assessment Activity	Total	Hazardous	Petrol	Assessment Activity	Total	Hazardous	Petrol	Total	Hazardous	Petrol	
51 Prospect Street	\$20,000	5/15/17: motion to accept site into program and to authorize up to \$20,000 in brownfield funds. (Staff understanding approval is for both Phase 2 and CAP)	for Phase II and Phase II amendment	\$13,708.00	\$7,536.00	\$6,172.00	CAP - CAP cost of ~\$6,000 already approved by Committee. CAP not recommended, DEC needs to approve recommendation.	\$0	\$0	\$0	\$6,000	?	?	
Ayer Autobody	\$38,000	6/20/2016: motion to approve and enroll the Ernie's Garage and allocate \$30,000 in grant of services. 10/16/2017: Motion to approve the \$8,000 for the Ayers CAP	Phase II, plus Phase II contract amend, CAP and Supp Phase II soil testing	\$37,521.00	\$15,454.00	\$22,067.00	Assessment activities complete BUT DEC maybe requiring additional work, will know after 4/13.	\$0	\$0	\$0	\$450	?	?	
Bonacorsi	\$57,000	10/17/2016:motion to enroll property for up to \$17,000 of assessment & remediation planning work. 8/24/2017: motion to authorize up to \$40,000 for a Ph 2 by Exec Cmt	for Phase I, Phase II	\$47,850.00	\$47,850.00	\$0.00	CAP - CAP cost of ~\$9,000 already approved by Committee. Will know if CAP needed by end of April.	\$0	\$0	\$0	TDB	?	?	
Keith Avenue	\$26,638	6/20/2016: motion to approve and enroll the 12 Keith Ave. & 25 Pearl St. Parking Lot project and allocate \$26,638 in grant of services.	Partial CAP	\$26,621.00	\$17,429.00	\$9,192.00	Partial CAP complete.	\$0	\$0	\$0	\$0	\$0	\$0	
Granite Works	\$78,000	8/24/2017 (Exec Cmt): motion to approve Montpelier Granite Works into program and authorize up to \$40,000 for a Phase 2 Environmental Site Assessment. 10/16/17: motion to approve \$6,000 for the Granite Works Phase 2 ESA which will not include the building materials assessment work. 3/14/2018 Approval for up to \$32,000 of petrol funds for Supp Ph 2.	for Phase II, supplemental Phase II	\$71,623.00	\$7,868.00	\$63,755.00		\$0	\$0	\$0	\$0	\$0	\$0	
Union Elem. School	\$70,000	6/19/2017: Executive Committee approve \$65,000 for a Phase 2 ESA and CAP. 10/16/2017: motion to approve \$5,000 for the UES CAP and site redesign.	targeted soil investigation with CAP incl. site redesign, additional CAP and site redesign work.	\$66,816.82	\$66,816.82	\$0.00	Assessment activities complete.	\$0	\$0	\$0	\$3,000	\$3,000	\$0	
Whiting, Town of	\$11,920	10/17/2016: motion to enroll the site and allocate up to \$9,000 of site assessment work, with an amendment to allocate \$11,000. 3/7/2018 : Approved by Exec Cmt total: \$11,920	Supplemental Phase II. CONTRACT CLOSED.	\$10,995.00	\$0.00	\$10,995.00	Assessment activity complete.	\$0	\$0	\$0	\$925	\$0	\$925	
Woodbury, Town of	\$40,000	7/18/2016: moved to enroll the property for up to \$40,000 of assessment and remediation planning work	Phase I & QAPP, Phase II	\$41,094.59	\$4,290.00	\$36,804.59	Funding Request: Phase 2 contingency	\$5,000	\$0	\$5,000	\$0	\$0	\$0	
Total	\$341,558		Total	\$316,229.41	\$167,243.82	\$148,985.59	Total Funding Request	\$5,000	\$0	\$5,000	\$10,375	?	?	
Current uncommitted by Committee	\$8,428	unknown	unknown	EPA grant total for contractual			Remaining contractual funds including Woodbury Funding Request	\$28,757	\$8,383	\$20,373	Uncommitted Funds plus Estimated Returns	\$18,803	unknown	unknown
				Remaining contractual funds / available for contracting										



Request for Funds –Woodbury

April 12, 2018

Request: Additional funds for Woodbury Phase 2 Environmental Site Assessment
 Summary: To ensure adequate funds for Phase 2 completion.

The Phase 1 contract is closed. While the cost of the work completed came in under the contract amount, it was higher than anticipated. This was due to addressing QAPP comments, participation in a conference call with the Town on 2/22/2018 and follow up with the building materials assessment sub-contractor. (Contract was for \$10,322.00, actual cost was \$7,352.59.) Contract totals are Phase 1 \$7,352.59 + Phase 2 \$33,742.00 = \$41,094.59. Committee has approved \$40,000. Gap of -\$1,094.59.

To ensure Committee approvals are aligned with current contract totals and to account for any unanticipated public/stakeholder meeting and/or changes to the site investigation (such as inclement weather or unsafe building access), increased funding will ensure the Phase 2 is completed, with no additional costs which would need to be covered by the Town or current property owner. For additional information about site conditions see Program Updates.

Staff is requesting the Brownfields Advisory Committee approval of no less than \$2,000 and up to \$5,000 of petrol funds. Committee supported this request at the last meeting based upon prioritization discussion.

Funding Request	Assessment Activity	Cost Estimate	Hazardous	Petrol
\$5,000	Phase 2 contingency	n/a	\$0	\$5,000