



BROWNFIELDS COMMITTEE

Thursday, September 19, 2024

Participation via Zoom¹

<https://us02web.zoom.us/j/88055614529?pwd=c2dVaTMvUnc0VU55bUd1TExTWjkzUT09>

Dial in via phone: +1 929 436 2866 | Meeting ID: 880 5561 4529 | Passcode: 215936

Download the app at least 5 minutes before the meeting starts: <https://zoom.us/download>.

Persons with disabilities who require assistance or alternate arrangements to participate are encouraged to contact Eli Toohey at 802-229-0389 or toohey@cvregion.com at least 3 business days prior to the meeting for which services are requested.

AGENDA

10:00² Adjustments to the Agenda

10:05 Review and Approval of Draft Minutes from 08/19/24 Meeting (Action - enclosed)³

Public Comment

10:10 Program Updates

Staff will provide updates on enrolled properties.

10:20 Funding Request/s (Action - enclosed)⁴

10:30 Adjourn

¹ Dial-in telephone numbers are "Toll" numbers. Fees may be charged to the person calling in dependent on their phone service.

² All times are approximate unless otherwise advertised

³ Anticipated action item.

⁴ Anticipated action item.

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Brownfields Committee Meeting
MINUTES
August 19, 2024

Present:

x	Janet Shatney, Chair; Barre City Commissioner
	Peter Carbee, Vice Chair, Washington Commissioner (Alternate Seat)
x	Alice Farrell, Barre Town Commissioner
x	Ron Krauth, Middlesex Commissioner
	Jenny Faillace, Warren Alternate Commissioner
x	Melissa Bounty, CVEDC (Central Vermont Economic Development Council)
x	Joan Marie Misek, Vermont Department of Health
x	Liz Scharf, Capstone Community Action Council
	Nicola Anderson, Downstreet Housing
	Vacant, (environment, finance, or real estate organization)
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Staff: Eli Toohey

Call to Order: Chair Shatney called the meeting to order at 6:03 pm. Quorum was present. E. Toohey asked if a committee member would take notes, and J. Shatney said she could.

Adjustments to the Agenda: An adjustment was made later on in the meeting to allow for an action item for a Funding Request – see later in the minutes.

Meeting Minutes – 05/20/24: A. Farrell moved to approve the meeting minutes from May 20, 2024, and seconded by L. Scharf, *motion carried*.

Public Comment: None.

Program Updates: E. Toohey gave an update on the two (2) enrolled projects. The first being the Clark’s Sawmill Dam project in Cabot, VT from flooding damage, that the Phase I ESA (Environmental Site Assessment) has been completed and the testing has been done, and the final report is expected to be available around the 31st of August.

The second update was the Granger Road Site that the Committee approved the use of funding not to exceed \$50,000 for a Phase II ESA; the contract came in for less than expected.

Also, a future project has been added to the ongoing list of potential sites needing brownfields funding is for 2 parking lots in Barre City for a housing development project. A Phase I ESA was completed and the developers are looking for funding for a Phase II ESA. J. Shatney disclosed that as the Barre City Planning Director, the involvement with the developers as an owner representative and Zoning Administrator reviewing this project puts her close to it, and shared with the Committee for any potential reasons for conflict of interest; no one objected.

35
36 **Grant Funding Opportunities:** E. Toohey reviewed the memo in the packet regarding the
37 funding from ACCD as well as MARC (Mount Ascutney Regional Commission) for funds, and
38 that an opportunity for an additional \$99,000 with a sub-grant agreement once 75% of the previous
39 grant funds are spent. Other funding sources are available, as outlined in the memo.

40
41 E. Toohey also shared that contact was made with NVDA (Northeast Vermont Development
42 Association) about obtaining a grant writer to assist in obtaining further brownfields grants.
43 NVDA was kind enough to share their RFP (Request for Proposals) as the funding is very
44 competitive.

45
46 M. Bounty shared that she was very familiar with the NVDA process, and was in total support of
47 issuing a RFP for a grant writer position.

48
49 J. Misek asked about the funding and would CVRPC apply, and which ones would be scrutinized.
50 E. Toohey stated that the Assessment Coalition Grants would be beneficial for the Montpelier former
51 Golf Course housing project, almost any project in Barre; for the climate resilience type grants,
52 the Cabot project would be perfect to use such brownfields monies to remove dams in the area. J.
53 Misek was pleased there are opportunities for more brownfields money to get other things done,
54 that the funds seem to be underutilized and happy to find grant opportunities to keep things
55 moving.

56
57 R. Krauth asked about flooding and how it could turn a site in a brownfields project, is this scenario
58 being considered? With flooded properties that have talks left in the ground, potential ruptures,
59 future flooding, etc. what would be the future problems that come up. E. Toohey said that the
60 Coalition grant funding would be an excellent funding stream for this type of project.

61
62 M. Bounty asked about the role in the list, are we married to the current list, or does it expand and
63 contract as projects within towns become viable, as the goal would be to be able to continue to
64 serve projects in the smaller towns in the region, and not just the bigger ones such as Montpelier
65 or Barre projects. E. Toohey said that the list that she created was pulled from many different
66 sources and is now a living document that can be added to or removed from, as needed.

67
68 A. Farrell asked about the 314 Hill Road in Barre Town, and what did an Institutional Control Plan
69 mean? E. Toohey stated that the building has sat vacant for a while, but is still being monitored,
70 so this plan is more about any ongoing assessment and status, and something so final such as a
71 CAP (Corrective Action Plan). A. Farrell said that as a member of Town's Planning Commission,
72 there have been small amounts of information around, and if used for future development such as
73 housing, that a clear ESA would be able to be obtained.

74
75 **Adjustment to the Agenda: Future Funding Project:** E. Toohey pointed out that there was a
76 funding request action item within the packet that did not make on the agenda. L. Scharf made a
77 motion to adjust the agenda to add this funding request, seconded by R. Krauth, *motion approved*.

78
79 **Funding Request for a Phase II ESA at 203 Country Club Road, Montpelier:** E. Toohey
80 relayed information that the City of Montpelier is asking for funds not to exceed \$50,000 for a

81 Phase II ESA. This is the site of the former Elks Club Golf Course – golf courses being known
82 for the applications of herbicides and pesticides for the greening of fairways and greens.

83
84 J. Misek disclosed that in her professional role, she has been invited to meet with the City of
85 Montpelier to assess uses for the land, and stated that it would be a potential for high levels of
86 human contact, and discussions around a Community Center on that property or being discussed.

87
88 Motion was made by J. Misek and seconded by A. Farrell to approve the request to use State
89 Brownfields Revitalization Grant Assessment funding not to exceed \$50,000 to be used for a Phase
90 II ESA at 203 Country Club Road in Montpelier, VT.

91
92 A. Farrell asked if the Committee would get to review the findings; E. Toohey stated that they
93 would be included in any packet to be read, and can always forward if asked for.

94
95 M. Bounty asked how much money in supplement might be asked for, and E. Toohey stated that
96 obtaining the \$99,000 sub-grant agreement would more than cover this, and have money left for
97 another project.

98
99 The Committee voted on the motion as presented, *motion carried with M. Bounty abstaining.*

100
101 **New Project Ideas:** E. Toohey reiterated that the Phase 1 ESA was complete for the Barre City
102 Seminary St Project, and that a Phase II is needed, but no funding request has come through.

103
104 L. Scharf asked if the land needs to be insurable, as its currently parking lots in the floodplain. E.
105 Toohey said she would look at the grant agreements for the need for insurability and report back
106 to the Committee.

107
108 **Adjourn:** With no other items for the Committee, a motion was made by M. Bounty and seconded
109 by R. Krauth to adjourn at 6:46 pm, *motion carried.*



UPDATED MEMO

Date: September 11, 2024
To: Brownfields Advisory Committee
From: Eli Toohey, Planner
Re: Brownfields Program

Program Update

CVRPC has received another round of funding from ACCD. The available amount is up to \$100,000 for FY24. Making the cumulative available amount \$200,000 (minus administrative costs of 9%)

➤ Available Funding & Program Timeline

- An amendment to the grant has been signed bringing the funding through June 30, 2025, no new funding, just more time to use funding
- Another \$99,000 is available with a sub-grant agreement once 75% of the previous grant is spent. The first installment will be \$50K, of which \$5K can be for admin. If there is demonstrated need for more funds (determined by MARC), another \$49K, of which \$4K can be used for admin., can be allocated. The subgrant agreement will be on next Executive Director meeting for approval. Any additional funding over the \$99K will depend on whether other RPCs are using, or have the need for their allocated funding within their subgrant performance period.
- Any unexpended or unencumbered as of June 30, 2024 will be returned to the State.
 - **We signed an amendment extending this through June 30, 2025 (see above)**
- Eligible use of funds:
 - to hire Qualified Environmental Professionals (QEPs). CVRPC will contract with QEPs to undertake assessment work, funds will not be granted to the property owner or prospective purchaser to undertake the work.
 - Cap of \$50,000 can be used on one site (previous round has no limit.)
 - for administrative services performed by the RPC. The maximum allowable reimbursement for these administrative services is 9% of the award. This is down from 10% during the last round.
- **An RFP for EPA Brownfield Grant Application and Implementation Assistance opened on 9/10/24 with a deadline of 10/10/24.**
 - We worked with UConn TAB Brownfields, the technical assistance program in reviewing the RFP and making sure the provisions that need to be included are.

Funding Status

Project Name	Date of DEC Approval	Project Type	Funded Project Activity	BRELLA Status	QEP Company	Project Status	QEP Contract Date	QEP Encumbered Amount (proposed/contracted)
18 South Main Street, Barre City	4/8/2022	Commercial	Phase II	Enrolled	Stone	Contract Fully Disbursed	6/10/2022	\$56,591
		Commercial	CAP	Enrolled	Stone	Contract Fully Disbursed	4/13/2023	\$24,322
		Commercial	Phase I	Enrolled	Stone	Contract Fully Disbursed	09/05/23	\$4,500
11 North Main Street, Northfield	1/9/2023	Residential	Phase II	Enrolled	Weston & Sampson	Contract Fully Disbursed	08/01/23	\$44,238
63 Sawmill Road, Cabot						Contract Completed, Invoice in process	05/07/24	\$1,750
300-302 Granger Road, Berlin						In Progress		\$30,550
							Sub-Total	\$161,951
		Admin Costs						\$11,970
							Total	\$173,971

Funding Requests

☒ ACTION REQUESTED: That the Commission approve use of State Brownfields Revitalization Grant Assessment funding, not to exceed \$50,000 to be used for a Phase II Environmental Assessment of the 203 Country Club Road, Montpelier VT (SMS Site # 2022-5116)

The City of Montpelier’s Community & Economic Development Specialist approached CVRPC for Brownfields Assessment Funds for 203 Country Club Road (of the Elks Club Golf Course) to determine the extent of contaminants identified by the Montpelier Parks and Trees in April and May of 2024. This site has historic use as a golf course with application of herbicides and pesticides and noted use of fuel, gasoline and diesel AST near the maintenance garage. If the herbicides were used as directed and within allowable use under the Federal Insecticide Fungicide Rodenticide Act (FIFRA), they were allowable when used for a golf course. However, the proposed uses are anticipated to be for recreation, housing and community agriculture.

Sites Update

300-302 Granger Road

On May 20, 2024, the Brownfields Advisory Committee approved use of State Brownfields Revitalization Grant Assessment funding, not to exceed \$50,000 to be used for a Phase II Environmental Assessment of the 300-302 Granger Road property in Berlin, Vermont. The contracted amount came in at \$30,550 and a final report will be available by the end of September. In a 9/9/24 meeting with CVSWMD, DEC and Weston & Sampson initial findings were that there was vapor intrusion in multiple areas of the garage. DEC will review the report and weigh in on CAP (whether there will need to be ongoing monitoring). There will probably need to be a pilot test which may result in a supplement to Phase II. Phase I Executive Summary is included in the packet (BAC 8/19/24)

63 Sawmill Rd, Cabot

On April 9, 2024, the CVRPC Board of Commissioners approved use of State Brownfields Revitalization Grant Assessment funding, not to exceed \$20,000 to be used for a Phase I Environmental Assessment of the 63 Sawmill Road property in Cabot, Vermont. The contracted amount came in at \$1,750 for Phase I and has been completed. The anticipated plans for this site are; Dam removal being prioritized by the Vermont Dam Task Force and for the Town of Cabot to purchase the property and return it to the floodplain and have a boat launch area for canoes and kayaks with potential for picnic area. Completed Phase I Report is available. BRELLA application has been submitted.

0 Seminary Street/1-3 Campbell Placet, Barre City

This is a housing project being developed with Downstreet and Evernorth located on a brownfield. It is anticipated to be 33 units located on what is currently 2 parking lots. A Phase I ESA has been completed and they are in need of funding for a Phase II which is estimated to cost between \$28-35,000. Phase I reports are available. **DEC has funding for this project.**

Brownfield Assessment Activities		
Acronym	Assessment Activity	Description
Phase I ESA*	Phase I Environmental Site Assessment	-Background information gathering and historical records review -Visual site inspections -Other requirements according to ASTM standards
Phase II ESA	Phase II Environmental Site Assessment	-Subsurface Soil Sampling -Groundwater Sampling -Ecological Assessment (if necessary) -Quality Assurance Project Plan (QAPP) required by EPA
Supplemental Phase II ESA	Supplemental Phase II Environmental Site Assessments	-Subsurface soil sampling and groundwater sampling to determine the extent of contamination found in the initial Phase II ESA
SSQAPP**	Site Specific Quality Assurance Project Plan	- a document that outlines the procedures that those who conduct a monitoring project will take to ensure that the data they collect and analyze meets project requirements. - invaluable planning and operating tool that outlines the project's methods of data collection, storage and analysis

HBM	Hazardous Building Materials Assessment	<ul style="list-style-type: none"> - Assessments for the hazardous materials that impact building use, renovation or demolition. - Determines if hazardous substances are present and in what quantities, and then develop options and costs for management or removal.
ECAA	Evaluation of Corrective Action Alternatives	<ul style="list-style-type: none"> - Evaluation of remediation options and associated costs, while balancing environmental protection and site redevelopment goals - Identification of redevelopment scenarios - Identification of remedial alternatives Engineering evaluation of remedial alternatives and selection of preferred alternative - Required by DEC to be included in all DEC approved Corrective Action Plans
CAP	Corrective Action Planning Activities	A plan detailing the specific remedial actions necessary to implement the preferred alternative selected in the ECAA process.
<p>Notes: *Phase I ESAs for current owners of a property may be eligible projects. This would be reviewed by DEC on a project basis as this funding is not intended to benefit potentially liable parties. **This is State funding so SSQAPPs are not needed. However, the expense may be eligible if a SSQAPP is needed, such as if state funding is partnered with federal funding for the project. This can be determined on a project basis.</p>		



Central Vermont Regional Planning Commission

Updated MEMO

Date: September 11, 2024
To: Brownfields Advisory Committee
From: Eli Toohey, Community Development Planner
Re: EPA FY 25 Brownfields Grants

The RFP for EPA Brownfields Grant Application and Implementation can be found [here](#).

The Brownfields Assessment Program has been funded through a sub-grant agreement with Mount Ascutney Regional Commission (MARC) for \$50-100, 000 per year since FY 22. This funding has been spent each year. There has been an increase in projects as well as diversification of use of Brownfields funding in the past year. For example, the Brownfields Assessment Program was just used to do a Phase I of a dam in Cabot with the intended project to be removal of the damaged structure to create a flood mitigation area and boat launch. This is a use that could be replicated elsewhere in our region. There are Brownfields in our region that are currently under consideration for reuse/redevelopment for housing, flood plain restoration and commercial use. (see BrownfieldSITESDatabase spreadsheet included in the 8/19/2024 Brownfields Advisory Committee meeting packet)

Below are provided several definitions as they relate to proposed funding sources. Following, you will find the grant tracks currently under consideration. Our discussion will focus on which of these tracks would best suit the needs of the CVRPC planning area.

Competitive Funding Types

- [Assessment](#) Assessment Grants provide funding for brownfield inventories, planning, environmental assessments and community outreach.
- [Cleanup](#) Cleanup Grants provide funding to carry out cleanup activities at brownfield sites owned by the applicant.
- [Multipurpose](#) Multipurpose Grants are appropriate for communities that have identified through community engagement efforts a discrete area (such as a neighborhood, a number of neighboring towns, a district, a corridor, a shared planning area or a census tract) with one or more brownfield sites.
- [Revolving Loan Funds](#) Revolving Loan Fund (RLF) Grants provide funding for a grant recipient to capitalize a revolving loan fund and to provide loans and subgrants to carry out cleanup activities at brownfield sites. Through these grants, EPA strengthens the marketplace and encourages stakeholders to leverage resources to clean up and redevelop brownfields. When loans are repaid, the loan amount is returned to the fund and re-lent to other borrowers, providing an ongoing source of capital within a community.

- [Job Training](#) Job Training Grants provide environmental training for residents impacted by brownfield sites in their communities.
- [Technical Assistance](#) EPA provides funding to organizations to provide training and technical assistance to communities to help address their brownfield challenges.

Assessment Grants

Assessment Coalition Grants – 29 AWARDS for FY25 – 4 Years

Approximate Timeline – Applications open September and are due early November, 2024 – 60 days from opening to deadline

- Designed for one “lead” entity to partner with two to four entities that do not have the capacity to apply for and manage their own EPA cooperative agreement and otherwise would not have access to Brownfields Grant resources.
- EPA strongly encourages coalitions to include eligible community-based nonprofit organizations as non-lead members to help promote strong local engagement and to ensure that the community’s concerns and vision for revitalization are incorporated into the project.
- The lead entity of the coalition must be one of the following:
 - State
 - County government
 - Federally recognized Indian tribe other than in Alaska
 - Alaska Native Regional Corporation
 - Alaska Native Village Corporation
 - Metlakatla Indian Community
 - Regional council established under a governmental authority (e.g., regional planning commissions)
 - Group of general purpose units of local government established under federal, state or local law (e.g., councils of governments)
- Must function as a single legal entity with the authority to enter into binding agreements with the Federal Government.
- Applicants may request up to **\$1,200,000** to assess sites contaminated by hazardous substances, pollutants, contaminants or petroleum.
- Performance period is up to 4 years.

POTENTIAL COALITION MEMBERS

- Downstreet Housing and Community Development
- CVEDC
- Chambers of Commerce
- Area Development Corps (such as BADC, Montpelier Alive, Revitalizing Waterbury, Northfield Economic Development)
- Friends of the Winooski

- River Conservancy
- VT Dam Task Force
- Housing Task Forces

Revolving Loan Funds – 15 AWARDS for FY25 – 5 Years

Approximate Timeline – Applications open September and are due early November, 2024 – 60 days from opening to deadline

An eligible RLF Grant applicant may apply as an individual entity or as an RLF Coalition comprised of two or more entities. A RLF Grant applicant may apply for up to **\$1,000,000** to address brownfield sites contaminated by hazardous substances, pollutants, contaminants (including hazardous substances co-mingled with petroleum), and/or petroleum. The period of performance is **up to five years**.

To enable current high-performing RLF recipients to continue the program momentum they have built, in 2021 EPA made two changes to our Brownfields RLF Program:

1. Beginning in the Fiscal Year 2022 (FY22) RLF Grant competition, only those entities that do not have an open Brownfields RLF cooperative agreement will be eligible to apply for funding.
2. When current high-performing RLF recipients are selected for non-competitive supplemental funding, EPA may choose to award a new grant, rather than extend the period of performance of the current cooperative agreement.

Some key features of RLF Grants include:

- RLF programs are designed to operate for many years (possibly decades) and as such, the terms and conditions of cooperative agreements require long-term resource commitments by the RLF Grant recipient. In addition, grant recipients are expected to comply with certain reporting requirements, even after the RLF Grant is closed.
- Recipients need to have a strong understanding of real estate financing principles and approaches, including loan underwriting, loan servicing, and credit analysis.
- Recipients need to have the ability to market the RLF program on an on-going basis during the performance period of the grant, and after the close out of the RLF Grant.
- Recipients commit to properly manage the program income generated by their RLF program in perpetuity, unless they terminate the agreement and return the program income to EPA.