

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Executive Committee Meeting
DRAFT Minutes
August 3, 2026 Meeting

Present:

☒ Peter Carbee	☐ Doug Greason	☒ Michael Gray
☒ Lee Cattaneo	☒ Royal DeLegge	☒ Janet Shatney
☒ Jerry D'Amico		

Staff: Christian Meyer, Barbara Petrie, Jeff Gibson, Brian Voigt, Keith Cubbon

Guests: None

Members of the Public: Stephen Whitaker, Montpelier Resident

Call to Order: Meeting recording was confirmed, and Chair Carbee called the meeting to order at 4:01 pm. Roll was taken and a quorum was established.

Adjustments to the Agenda: None

Public Comment: Steven Whitaker requested comment at this time. While they requested if further comment on other agenda items could be offered at a later time during the meeting, they were reminded by Chair that existing public participation rules would not allow it. Steven spoke about issues around the soil testing methodology for Country Club Road, arguing that the current averaging method is insufficient for food safety requirements and that a proper work plan is needed before approval. He provided written memos with documentation on both topics he brought up for discussion for inclusion in these minutes – see attached.

Accept Unaudited June Financial Report – Jeff Gibson Jeff presented June financials. The organization maintains a strong financial position, though concerns were raised about accounts receivable balances over 90 days Jeff and Christian reported these are being addressed via reconciliations and cleaning up state receivables. Chair Carbee expressed issues around the A/R aging schedule and addressing billing in a timely fashion. There was further discussion on miscellaneous budget items such as office occupancy, interest expense, copier lease and the like. Christian offered that answers to some of these queries would be forthcoming as time with Jeff and Ahsan Ijaz for further explanation and learning would become available.

*Chair Carbee called for a motion to accept the 2025 Unaudited June Financial Reports which were made by Commissioner D'Amico and seconded by Commissioner Gray. **Motion passed unanimously.***

Accept Meeting Minutes – 7/6/2026: Commissioner D'Amico noted the misspelling of Ahsan's name in the minutes. *Chair Carbee called for a motion to accept the minutes of 7/6/2026 as amended. Commissioner Cattaneo made the motion, seconded by Commissioner Gray. **Motion passed unanimously.***

Contract Agreement/Authorizations – Friends of Winooski River – Tyler Place Tributary Riparian Buffer Planting: Brian explained that this is a continuation of a riparian buffer planning project that CVRPC funded earlier this year. This part of the award would support the

1 hiring of an individual to verify the project was installed as planned, allowing for proper
2 operations and maintenance.

3 *Chair Carbee called for a motion to authorize the Executive Director to sign an amendment to*
4 *the master agreement with the Friends of the Winooski River. The motion was made by*
5 *Commissioner Cattaneo and seconded by Commissioner Shatney. **Motion passed unanimously.***

6 Commissioner D'Amico noted that the item **"Amend Rules of Meeting Conduct and Public**
7 **Participation"** on the agenda had been skipped over. This was acknowledged, and it was
8 decided to finish off the **Contract/Agreement Authorizations** and come back to the skipped-
9 over item once completed with Contracts.

10 **Watershed Consulting:** Brian summarized this as a subcontract to complete a preliminary
11 design for the Lower Fairgrounds Floodplain Restoration project in Waitsfield. He shared that
12 money for this project is also coming out of the Clean Water Service Provider Grant pot of
13 funds. *Chair Carbee called for a motion to accept. The motion was made by Commissioner*
14 *Shatney and seconded by Commissioner Gray. **Motion passed unanimously.***

15 **Friends of Winooski River – RIVER Navigator Public Outreach and Education:** Keith
16 summarized this as mainly as a public engagement piece, extending the VT Community
17 Development Program grant we've already received, further setting up and managing the
18 greater Winooski flood meetings. *Chair Carbee called for a motion to authorize the Executive*
19 *Director to sign the contract with the Friends of the Winooski River. The motion was made by*
20 *Commissioner D'Amico and seconded by Commissioner Shatney. **Motion passed unanimously.***

21 **University of Vermont - RIVER Navigator Public Outreach and Education:** Keith explained that
22 this is also for the River Navigator, however, this is for Rebecca Deal of UVM to do a more
23 flood-focused model. It will fund a grad student to do a deep dive with that model and present
24 academic level answers relative to drainage and mitigating flood risk. This will be primarily
25 funded by VCBP. *Chair Carbee called for a motion to authorize the Executive Director to sign the*
26 *contract, moved by Commissioner Shatney and seconded by Commissioner Gray.*

27 Commissioner Cattaneo had a question regarding how this relates to all the dam removal
28 models and Commissioner Shatney asked again about the oversight of the grad student. Keith
29 reiterated information about Professor Deal overseeing the project, with the grad student
30 being under their supervision throughout the process. There was no further discussion.

31 ***Motion passed unanimously.***

32 **Amend Rules of Meeting Conduct and Public Participation:** Commissioner D'Amico, as the
33 Chair of the working group for this item, presented that in their July meeting, based on a vote
34 of 3:2, altered the policy to allow for public comment on each item on the agenda, in addition
35 to and open to any topics relevant to the business of the Commission or the committee. There
36 were questions about this change, for example time limits which Commissioner D'Amico shared
37 would be up to three minutes to comment and at the discretion of the Chair.

38 Commissioner D'Amico requested adding some wordsmithing changes which were shared at
39 this meeting, mainly grammatical and which would be made and offered for review to
40 Commissioner D'Amico, prior to presentation to the full Board for approval.

1 *Chair Carbee called for a motion to accept the amendment to the Rules of Meeting Conduct and*
2 *Public Participation as of the draft of the 7/20/2026 with the edits of the workgroup's chair.*
3 *The motion was made by Commissioner DeLegge and seconded by Commissioner Shatney.*

4 Commissioner Cattaneo corrected the motion as "a motion to amend" rather than to accept" as
5 they have already been accepted. Those making the motions acknowledged this. It was
6 confirmed that this would go into effect following this meeting but would have to go before the
7 full board in September.

8 There was no further discussion, but there was one in opposition when asked all those in favor,
9 forcing a roll call. Results were as follows:

10
11 *Motion to Amend Rules of Meeting Conduct and Public Participation as of the draft of the*
12 *7/20/2026 with the edits of the Workgroup's Chair.*

13 *Yes: Barre City, Northfield, Orange, Roxbury, Woodbury*

14 *No: Washington*

15 *Absent: Waterbury*

16 ***Motion to amend passed.***

17 **Adopt Brownfields Program of Projects:** Christian presented a new process of Brownfields
18 programs of projects. *Chair Carbee called for a motion to adopt the Brownfields program of*
19 *projects. The motion was made by Commissioner Shatney and seconded by Commissioner Gray.*
20 ***Motion passed unanimously.***

21 **Set Commission Meeting Agenda:** *Chair Carbee called for a motion to cancel August Board of*
22 *Commissioners meeting; made by Commissioner Shatney and seconded by Commissioner*
23 *D'Amico. **Motion passed unanimously.***

24 **Committee Round Table: Commissioner:** None

25 **Adjournment:** *Chair Carbee called for a motion to adjourn; made by Commissioner DeLegge,*
26 *seconded by Commissioner Shatney. Meeting adjourned at 4:52 pm.*

27
28 Respectfully submitted,

29 Barbara Petrie, Office Manager

MEMORANDUM FOR THE RECORD

TO: CVRPC Executive Committee

FROM: Stephen Whitaker, Montpelier, VT

DATE: August 3, 2026

RE: Request to Pause Further Supplemental Site Investigation Funding Authorization — 203 Country Club Road (SMS #2022-5116) — Until Sampling Methodology, Work-Plan, and Phase I ESA Currency Are Corrected

Purpose. This memorandum accompanies my oral statement to the Committee on Agenda Item 4:45. It sets out the documentary basis for a single request: that the Committee pause further authorization of Supplemental Site Investigation (SSI) funding for 203 Country Club Road until (1) the proposed sampling methodology is corrected so that it can support a valid food-safety determination, (2) a work plan supports the amount being authorized, and (3) a current Phase I Environmental Site Assessment (ESA) is completed. I am not asking the Committee to cancel the project or to make any finding regarding any individual's conduct.

1. The proposed sampling methodology cannot support the food-safety determination this site requires.

The site is actively used for food production and distribution to a senior nutrition program (FEAST Farm). EPA's own published guidance is explicit that its standard residential screening levels are built around exposure through incidental soil contact and inhalation — not through food crops grown in that soil. Plants take up and concentrate certain contaminants from soil in ways that residential screening levels do not account for. A site producing food for human consumption requires a different analytical approach than a site being screened for residential exposure alone.

The methodology proposed for the funded SSI — Incremental Sampling Methodology (ISM) — composites approximately 30 discrete soil increments into a single averaged result per decision unit. This is a valid method for some purposes. It is not capable of supporting a food-safety, plant-uptake-based risk assessment, because once soil increments are physically composited, the spatially specific, root-zone data such an assessment requires cannot be recovered from the averaged sample. If this gap is identified only after the SSI is complete, correcting it will require an entirely new field sampling event, not a supplemental addition to the existing one.

A memorandum prepared by Onterris (formerly Montrose) — “Notes for Eli,” dated May 20, 2026 — addressed this concern by quoting EPA guidance stating

that residential screening levels are “generally protective.” That quotation omits the adjacent sentence in the same EPA guidance stating that those screening levels do not factor in plant uptake of contaminants and should not be treated as establishing safe levels for food production. I raised this discrepancy with CVRPC at the time.

Requested action: that any further SSI funding authorization be conditioned on a sampling design capable of supporting a valid food-safety risk assessment for the site's actual, current use — not deferred as an item to be “added later.”

2. No work plan has been shown to support the amount being authorized.

At the June 5, 2026 Brownfields Advisory Committee meeting, the Committee authorized approximately \$86,928.85 for this Supplemental Site Investigation without a work plan before it. The contractor stated on the record at that meeting that no work plan existed and that the figure was a budgetary placeholder. A work plan is not a formality — it is the document that determines what gets sampled, at what depths, against what cleanup standard, and whether the investigation is scoped to address the specific exposure pathways relevant to the people who live and work on this site, including the children in daily contact with unassessed soil at Turtle Island Children's Center. To my knowledge, no work plan has been produced since June 5 and none accompanies today's item. If that has changed, I ask that the Committee confirm it on the record; if it has not, I ask that today's approval not proceed on the same undocumented basis.

Requested action: that no further SSI funds be authorized for this site until a work plan defining sampling locations, depths, and applicable cleanup standards is presented to and reviewed by this Committee.

3. The Phase I ESA underlying this entire assessment chain is stale, and no documented basis has been given for the contrary position.

The site's only Phase I ESA is dated April 22, 2022 — over four years old. Under the Vermont Agency of Commerce and Community Development's (ACCD) Grant Management Guide, a Phase I ESA older than 12 months prior to completion of Environmental Review must be redone before further work proceeds. The site has changed materially since 2022: a greenhouse has since been constructed on undelineated soil, disc golf course construction has disturbed additional areas, and a culvert washout downslope of a previously documented disturbance raises a question of possible offsite contaminant migration.

On July 16, 2026, I informed the Brownfields Advisory Committee directly that a new Phase I ESA is required under this standard. On July 23, 2026, during a joint Land Use Review Board site tour of the property, CVRPC's Executive Director told me directly that a new Phase I is required only if the property changes ownership. That statement does not match the ACCD guidance, and I said so to

him at the time. On July 30, 2026, I submitted a public records request to CVRPC's Executive Director for all records among CVRPC staff, Onterris, Mike Miller, or ACCD relating to that July 23 statement. On July 31, 2026, he responded in writing: "No such records exist." The position taken on a legal prerequisite for this Committee's own funding decision has, by CVRPC's own confirmation, no documentary basis.

Requested action: that any further SSI funding authorization be conditioned on completion of a current Phase I ESA that evaluates the site's condition as of 2026, including the disturbances identified above.

4. Context for why I am bringing this to the Committee directly rather than relying on further staff review.

I recognize this Committee may reasonably ask why these concerns are being raised here rather than resolved at the staff level. I have raised substantially similar procurement and compliance concerns with CVRPC's Board in writing since December 2025. On January 7, 2026, CVRPC's Executive Director advised EPA Region 1 that the concerns I had raised had been "reviewed closely" and found to have "no merit." A subsequent public records request response, dated January 22, 2026, confirmed that no reviewer, no legal review, and no Board consideration had in fact occurred prior to that statement being made to EPA. I reference this only to explain why I am asking the Committee to act directly on the three specific, narrow items above, rather than deferring them to a review process that has not, in this matter, previously occurred as represented.

Summary of requested action.

Pause further authorization of SSI funding for 203 Country Club Road until (1) the sampling methodology is corrected to support a valid food-safety determination, (2) a work plan supports the amount being authorized, and (3) a current Phase I ESA is completed. I ask that this memorandum be entered into the record of today's meeting.

Respectfully submitted,
Stephen Whitaker

Montpelier, Vermont

Project: CCR / CVRPC 2026 Regional Plan Future Land Use Map — Tier 1A

File: Monday_EC_WrittenMemo_Item4-45_20260803_v2

Drafted: August 3, 2026

Source-tag: Public-facing — for entry into CVRPC Executive Committee record; distinct from Item 4:25 memorandum. Part 3 sourced to Meyer/Whitaker email exchange, "Phase 1 ESA 4 CCR," July 30–31, 2026

Status: Confirm Part 2 (work plan status as of today's agenda) before delivery; Part 3 confirmed