Vermont Housing & Conservation Board
MINUTES
Tuesday, December 7, 2021
ZOOM Conference Call
9:00 am

Board Members: Neil Mickenberg, David Marvin, Emily Wadhams, Maura Collins, (VHFA), Billy Coster (designee for ANR), Diane Bothfeld (designee for VAAFM), Kate McCarthy, Andrea DelaBruere (designee for AHS); Ann Fielder, Clarence Davis (All Board Members called/zoomed in)

VHCB Staff: Gus Seelig, Jen Hollar, Jenny Hyslop, Elizabeth Egan, Anne Duffy, Marcy Christian, Leah Sare, Larry Mires, Stacy Cibula, Bill Dell’Isola, Karen Freeman, Beth Schwarz, Gretchen Rittenhouse, Julia Anderson, Mark Martin, Laurie Graves, Brenda Riddle, Kendall Lambert, Erin Riley, Liz Gleason

Others Present: Nick Richardson, Tracy Zschau, Britt Hazelton (Vermont Land Trust); Gannon Osborne (VT. Depart of Forests, Parks & Recreation); Skye Morse (47 Flat Street LP); Stephanie Lane (Shires); Kate Wanner (Trust for Public Land); Jack Travelstead (Northern Rivers Land Trust); Chris Bradley (VT Federation of Sportsmen’s Clubs); Alec Ellsworth (Parks Director City of Montpelier); Kelley Berliner (The Archaeological Conservancy ; Sally Manikian (The Conservation Fund); Corie Pierce (Bread & Butter Farm); Brandon Bless (Bread & Butter Farm)

Chair David Marvin called the meeting to order at 9:02 a.m. He welcomed everyone to the meeting. The Woodbury Mountain Wilderness Preserve project has been withdrawn at this time. There were concerns about hunting and trapping restrictions and access for recreation. This issue brings up fundamental policy issues to be reviewed about allowable and appropriate uses for non-profit owned land when public funds are being used. There are many competing interests and it is unfortunate that the stewardship of this vast tract will lose some voices.

Public Comment
Chris Bradley, the Executive Director of Vermont Federation of Sportsmen’s Clubs, Inc., attended the meeting. He had had questions about public access and hunting rights on the Woodbury Mountain Wildness Preserve. He hoped the project would go forward in the future and his organization would happy to be involved in further discussions. He briefly spoke about Federation’s history and experience. No other public comment at this time.

Organizational Grant Committee Report

Neil Mickenberg, chairman of the Organizational Grants Committee, spoke about VHCB’s role in supporting our nonprofit partners around the state. Providing organizational grants is derived from our statute this funding is essential support to these organizations. The organizational grant funding is a way to help our partners with technical and staff support. Organizations apply every year and the
staff and committee review the organization applications and supporting documentation. Jenny Hyslop spoke about the housing organizations and reflected on their work over the past year and a half during the pandemic. It seems like everyone has moved into new pandemic normal and staff are seeing stabilizing trends. Most of the housing organizations have adequate reserves, good pipelines, and are doing a good job of serving the homeless. The network has doubled the number of homes coming online. They have included DEI initiatives into their work as well. There are staffing capacity issues with groups and a need to help with burnout prevention. The housing organizations were awarded One Time Capacity Support funds in September and these funds will help address these issues.

She finished her overview noting that several housing organizations have experienced leadership transitions in the past 18 months. Downstreet has parted company with its new CEO and was very fortunate to hire Connie Snow as their interim director as they begin a new search process. Champlain Housing Trust and Housing Trust of Rutland has hired a new executive directors in the past year and those transitions have gone well. Lastly, Shires Housing’s application was delayed due the executive director’s family tragedy, and staff expect to bring that request to the January board meeting.

Karen Freeman thanked Neil for the committee’s work with the organizational grant process. She reported that the outdoors has remained open during the pandemic and our partners have provided safe and close-to-home outdoor spaces for recreation, place-based learning, solitude and hubs for the providing services and connectivity. They have contributed significantly to the state’s pandemic response and recovery. This time has proved to be quite positive for fundraising with appeals and membership drives proving to be very successful. These organizations have robust pipelines as well, are maintaining healthy operating reserves and a number of them are filling vacant positions and adding staff.

DEI initiatives have undertaken by our conservation partners with increasing diversity both within organizations and also increased access to the land. They are looking to increase access of these resources to low income families as well. Climate change continues to be an issue for many of the organizations posing challenges for recreational and trail infrastructure. Conservation organizations report increased stewardship demands especially with increased usage of publically accessible land.

Finally Karen reported that farmers are increasingly looking at activities that could provide additional income on farms and may push the boundaries of the tenants of the conservation easement. These activities may require conservation easement amendments and there is a hope that the Legislature may look at this process again in upcoming sessions.

Emily made the motion to approve the recommended resolution from the Organizational Grant Committee. Diane seconded the motion. Kate asked about the VCLF funding. Gus explained that in recent years they have expanded their work with Viability and Conservation projects. Karen explained that this is the second year of this split in funding between housing and conservation. Emily wondered about stewardship capacity with conservation and historic properties. She hoped that over time that capacity would increase. Maura commented on the VCLF award and her continuing concern about whether we should be funding them through this process. She is hoping that this spring the committee will talk about criteria and whether this award is appropriate. All voted in favor of the motion.
Roll Call
Maura Collins – yes
David Marvin– yes
Emily Wadhams – yes
Neil Mickenberg – yes
Diane Bothfeld – yes
Andrea DeLaBruere – yes
Ann Fielder- yes
Kate McCarthy - yes
Billy Coster – yes
Clarence Davis - yes

Finance Committee Report
Anne presented the committee report. She talked about briefly about the audit. These audit reports reflected a clean audit opinion, both for the financial statements and the federal Single Audit. The federal audit focused this year on the CRF and the HTF grants. The Finance Committee met with the auditors of Melanson CPA at the November 1st Committee meeting to review the reports. Neil said that auditors were very impressed with the Finance team and their work.

Board Action Requested: The Board accepts the audit reports as presented by Melanson CPA for the year ended June 30, 2021. The Finance Committee recommends the Board accept the audit reports as presented.

Ann made the motion to approve the recommended resolution from the Finance Committee. Neil seconded the motion. All voted in favor of the motion.

Roll Call
Maura Collins – yes
David Marvin– yes
Emily Wadhams – yes
Neil Mickenberg – yes
Diane Bothfeld – yes
Andrea DeLaBruere – yes
Ann Fielder- yes
Kate McCarthy - yes
Billy Coster – yes
Clarence Davis - yes

Anne then spoke about the attached proposal that presents a FY2023 budget of $62,672,444. She explained how the budget is created each year. The FY2023 budget proposes an overall decrease of $129,089,445; a 67% decrease from FY2022. However, the proposed budget makes no assumptions about the allocation of additional federal relief funds i.e. ARPA. It is thought that the Governor will ask the legislature for approximately $175 million for housing. While some funding will certainly go to VHIP and homeownership, DHCD Commissioner Hanford expects a significant allocation for
multi-family rental housing production. Therefore Gus pointed out that is a preliminary budget – there will probably be more funding available. This will be an ongoing process over the next couple of months as the legislature and the governor work on the budget. Neil brought up the REDI program and wondered if that program could help poorer towns with less capacity access infrastructure funding. Gus said that it has been very helpful program and VHCB will be open to help and expand our role in this area. There was a board discussion about the infrastructure funding. Kate asked about the cost of living increase and wondered if current inflation rate was taken into consideration? David suggested that the finance committee look at this issue further. Gus will also talk with the management team about this issue and bring back a revised budget in the spring. Maura asked about the building’s lease and when it is up. Anne explained that the current lease is up in 2023. Emily asked about Act 250 funds and Gus briefly explained the process of awarding this funding to farm and housing projects around the state.

Recommended resolution:

The Board approves the FY2023 budget in the amount of $62,672,444, which includes an Operations Budget of $5,802,314.

Neil made the motion to approve the recommended resolution from the Finance Committee. Clarence seconded the motion. All voted in favor of the motion.

Roll Call
Maura Collins – yes
David Marvin– yes
Emily Wadhams – yes
Neil Mickenberg – yes
Diane Bothfeld – yes
Andrea DeLaBruere – yes
Ann Fielder- yes
Kate McCarthy - yes
Billy Coster – yes
Clarence Davis - yes

Project Presentations

Hubbard Park Expansion, Montpelier – City of Montpelier
2021-113-001

City of Montpelier is requesting up to $150,000 in VHCB funds. The Board received a staff memo that stated that the City of Montpelier is adding almost 80 acres of forested land to Hubbard Park by purchasing two adjacent parcels on the west side of the Park, the 50.79-acre Heney parcel and the 28.15-acre Johnson Parcel. Hubbard Park is a year-round regional destination for residents, visitors, and tourists seeking 4-season access to forested trails and lush scenery.
Bill Dell’Isola and Alec Ellsworth, Parks Director from the City of Montpelier, presented the project. Bill explained that the board received an updated memo this morning. There is now a two-acre exclusion to the Johnson tract which will lower the VHCB award to $147,500. Also there are three new conditions including a potential affordable housing opportunity. Alec talked about the importance of this project to the city. Bill explained that this project is coming to the Board with a very tight timeline for closing. The purchase and sale agreement has a closing date no later than 12/31/21. VHCB and the City have made proactive steps in anticipation of this timeline.

Neil asked about the affordable housing opportunity and Kate wondered if this was a good site to extend a neighborhood. Bill explained that the appraisal does say that the parcel is suitable for limited housing, but the parcel is also being considered for parking and other park infrastructure or selling the lot to raise funds for future park additions. The City of Montpelier will explore these questions after the acquisition. The exclusion could be a potential site for a Habitat for Humanity home and one of the conditions provides for a right of first refusal for an affordable housing organization.

**Egg Mountain Archaeological Preserve, Sandgate – Archaeological Conservancy 2022-062-001**

The Archaeological Conservancy is requesting up to $110,000 in VHCB funds. The Board received a memo stating that The Archaeological Conservancy wants to acquire and preserve 93 acres in Sandgate that contain the archaeological remains of a settlement that dates to the late 1700’s. This land is currently owned by The Conservation Fund, as part of 2,832 acres of a larger conservation project on Egg Mountain. The Conservation Fund intends to transfer the larger parcel to an appropriate conservation organization, the State of Vermont or a sustainable working forest group. These remarkably preserved, undisturbed archaeological features contain valuable information on late 18th century life in the Republic of Vermont.

Mark Martin and Kelley Berliner from the Archaeological Conservancy presented the project. Kelley highlighted two important points. There is evidence this site may have served as the refuge for Daniel Shay, the leader of Shay’s rebellion (1786-87) in neighboring Massachusetts. This short lived rebellion served as a catalyst for the Constitutional Convention of 1787 that abandoned the Articles of Confederation and drafted the current Constitution of the United States. After Shay’s defeat, he and his followers fled to the mountains of southern Vermont. Historic land records verify Shays lived in the Town of Sandgate before being pardoned. She also pointed out that sites like this don’t come along very often. They are destroyed for development and such a complete site is very unusual.

David asked about access to the project and Kelley explained that you do go into New York to get back to Vermont and the site. Kate commented that it is a very exciting project to see the past when so many projects look to the future. She wondered if there have there been conversations with the indigenous peoples in the area. Kelley said not at this time primarily because there is not much evidence at the site of indigenous people having lived there but TAC routinely checks on this and she is happy to follow up. She did point out that all preserves are open to Native American groups. Emily is happy about this project and that the Division of Historic Preservation will be involved. She asked if the site will be open to further research, Kelley said it will be available for professional archaeology research.
Vermont Land Trust is requesting for $371,500 in additional VHCB funds. The Board received a memo that stated that VLT is now asking the Board to consider additional funding requests for both projects and to approve several changes in configuration and scope. The total amount of additional funding needed is $371,500, with 97% ($359,500) to come from NRCS. Only $12,000 in additional State funding is needed which will be covered completely by Act 250 mitigation funds. The goal is to close both easements by January 2022.

In 2018, VHCB supported the conservation of the 191-acre Parcel A of the Auclair property, which is now owned by Vermont Land Trust (VLT) and is leased to Bread & Butter Farm. Now Parcels B and C are in the process of being conserved.

Stacy Cibula from VHCB and Britt Haselton from Vermont Land Trust presented the project with updates. Corie Pierce and Brandon Bless, from Bread and Butter Farm, also attended the meeting. Britt explained that there has been a lot of work done on this project with Stacy and Elizabeth Egan. Corie talked about the farm’s mission and work. Brandon emphasized the educational component to their programs. The increased funding is necessary due to the hot real estate market in Chittenden County and the development pressure on the property. There is a large bargain sale by the owner. The ownership structure has changed since the Board last saw this project. Vermont Land Trust will now acquire the farm and will transfer the property to a separate land holding entity in the future. Bread and Butter Farm will lease the land from VLT and will be granted 3 housing rights on Parcel C. These houses will be owned separately from the underlying land and can be conveyed separately in the future, but the land remains subject to the easement. The strategy behind this model is that it provides a more affordable entry point to housing for farmers since they are only paying for construction costs and not also the land itself. In another change from the original projects, these building rights will be on Parcel C only; whereas the original proposal included 3 building rights on Parcel B and 3 rights on Parcel C.

Kate asked how long VLT will hold the land. Britt explained that they are not sure at this time and are working on the concept of 501(c)2 nonprofit ownership. Nick Richardson, VLT’s Executive Director, explained that they are still exploring this model but expect to have the landholding entity established in about a year. They are wondering how it could be structured for farmers to have a voice and want to move forward as quickly as possible. David asked about financing of housing on leased land and how do we keep housing affordable. These issues are of concern but VLT and Bread & Butter remain hopeful that they can develop this model. They have been with CHT and lawyers on all of this to bring to lenders. Diane asked about protections that this housing will be available for farmers only and it was explained that there would be a right of first refusal that could help safe guard against non-farmer ownership. Nick emphasized that this issue of farm housing affordability is such an important topic.

Consent Agenda
Maura made the motion to approve the Consent Agenda. Emily seconded the motion. All voted in favor of the motion.
The Consent Agenda consisted of:

1) Ricketson, Stowe & Morrisville (VLT)(2017-094-001)
2) Canyon Lot, Elmore (VRC)(2022-004-001)
3) Portland & Main Street Apartments Loan Modification, Morristown (LHP)(1999-091-001)

**Roll Call**
- Maura Collins – yes
- David Marvin – yes
- Emily Wadhams – yes
- Neil Mickenberg – yes
- Diane Bothfeld – yes
- Andrea DeLaBruere – yes
- Ann Fielder- yes
- Kate McCarthy - Yes
- Billy Coster – yes
- Clarence Davis - yes

**Climate Commission Update – Jane Lazorchak & David Farnsworth**
Gus introduced Jane Lazorchak of ANR, and David Farnsworth of the Regulatory Assistance Project to discuss the recommendations of the Climate Council. This work ranges from building standards to carbon sequestration through natural systems to where the state builds smart to reduce carbon emissions from transportation. Jane presented the update with David Farnsworth. The initial Climate Action Plan was just adopted on December 1, 2021. They presented a slide show detailing the work of the commission and next steps. Maura asked Billy asked about the clean heat standard and whether this standard will increase heating costs for low and middle income residents. David did say that there may be increased costs to customers in the short term. This policy work is intended to be transparent and capture the full costs of the recommended actions and that while there will be increased costs, at least in the short term, that there will be short and long term climate benefits. Billy pointed out that this commission supports the viability and conservation areas of our mission. David Marvin thanked Jane and David for their presentation. Gus thanked them as well. There are many conversations ahead on this work for VHCB and the board will be provided with a summary of the VHCB connections in the Climate Action Plan for the January board meeting.

**Conservation Issues Committee Report  Water Quality Screening Process for Farm Projects**
Kate presented the Conservation Issues Committee’s recommended updated guidelines for how VHCB manages the water quality aspects of farm projects. For the past decade, VHCB has prioritized the protection and enhancement of Vermont’s water resources. VHCB has continued to expand and refine its work on water quality. This includes considering water quality in the way conservation projects are developed and evaluated, as well as how investments are deployed. Kate said that the committee would like to revisit the policy in 18 – 24 months. Stacy thanked with Diane and Billy for their work with her on this process.

To that end, Stacy worked with VAAFM, ANR, and our land trust partners to develop a set of guidelines on the screening process which attempts to achieve this balance. Billy thinks that this policy will help projects coming to the board to be in good standing. These guidelines, as well as a
related policy revision, were discussed at the October Conservation Issues Committee (CIC) meeting. The Committee recommended the Board approve the policy revision.

Resolution:

To improve clarity on VHCB’s water quality screening process, the Board authorizes VHCB staff to revise #4 under Project Selection and Configuration of the September 2020 policy “Funding Conservation of Agricultural Land” to the following, and gives authorization to the VHCB Board Chair to approve any non-substantive revisions to said language in the future:

*Prior to closing, the farmland owner/operator must be in good standing with VAAFM with respect to the land to be conserved and any adjacent land that is integral to the farm operation. Furthermore, the farmland owner/operator must be in compliance with state and federal water quality regulations on the land to be conserved and any adjacent land that is integral to the farm operation, or if not in compliance, must be working cooperatively with VAAFM and/or ANR, as the circumstances dictate, to come into compliance.*

Ann made the motion to approve the recommended resolution from the Conservation Issues Committee. Neil seconded the motion. David thanked everyone for their work on this policy. All voted in favor of the motion.

**Roll Call**
Maura Collins – yes
David Marvin– yes
Emily Wadhams – yes
Neil Mickenberg – yes
Diane Bothfeld – yes
Andrea DeLaBruere – yes
Ann Fielder- yes
Billy Coster – yes
Kate McCarthy - Yes

**Leopold Award to the Choiniere Farm**
Stacy was pleased to report that the Choiniere Family Farm of Highgate received the New England Aldo Leopold award from the Regional Conservation Partnership Network this year. Guy Choiniere is a great ambassador for soil health and water quality. Nancy had nominated him before her retirement and this year Julia revised the application in winning fashion. There was a brief video played during the meeting that highlighted the family and the farm’s journey over the past 20 years. David shared his appreciation for their work on the land.

**Director’s Report & Legislative Update**
Gus gave an update to his staff report. He thanked to the board for their committee work over the past few months. There have also been celebrations of completed housing projects around the state. Lincoln Place in Rutland and Red Clover Commons in Brattleboro had events and New Avenue Apartments is planning a ribbon cutting in the upcoming days. This project has had quite an impact on downtown St. Johnsbury and this story will be featured in the annual report.
He also reported that VHCB closed out our CRF funding using all but $86.00 for housing around the state. This was done with the great work of housing staff and our housing partners. There is a lot going on with public policy including conversations about more ARPA funding in housing in the upcoming legislative session. Staff were in Manchester several few days ago and there is interest there partnering in providing more affordable housing. These conversations are happening all over the state. There will be more opportunities to obtain federal funding through Senator Leahy’s office in the next few years.

He finished his report by updating the board the continuing struggle of combining ARPA with LIHTCs. He explained that without a clarification in their guidance, VHCB either needs to replace already awarded ARPA funds with state or federal funds or, for the first five deals, add $3.2 million in state and federal funding. Treasury officials expressed the thought that they wanted to work with us. Maura has gotten her national association focused on this problem as well. The bad news is that they thought there was an easy fix that we do not believe will work. By January we will be in a position of either needing to replace/supplement ARPA funding or delay projects. Without relief, it may also not make sense to advance several of the applications that were in November submitted for your consideration at the January meeting.

**Finance Report**
Anne added a brief update to her memo. We are now three months into the fiscal year and closings and disbursements of ARPA funds and one-time funding are now beginning to occur.

**Minutes**
Neil moved to approve the minutes of the September 23, 2021 Board. Diane seconded the motion. All voted in favor of the motion.

**Roll Call:**
Neil Muckenberg - Yes
Emily Wadhams - Yes
Maura Collins - Yes
Billy Coster - Yes
David Marvin - Yes
Diane Bothfeld – Yes
Andrea DeLaBruere – Yes
Ann Fielder – Yes
Kate - yes

**47 Flat Street, Brattleboro – 47 Flat Street LP & M&S Development of Brattleboro 2022-017-001**

Gus presented the request to authorize the Board Chairman to approve a staff request to substitute, if necessary, an eligible non-profit grantee to receive funds awarded to 49 Flat Street LP. Due to the ongoing issues of using ARPA funds with tax credit projects this substitution may be necessary. He also updated the board that they recently learned that the Park Service has some issues with the 5th
story of the building for historic preservation reasons. There is a meeting with the Park Service planned for Thursday.

Ann moved to approve the request. Kate seconded the motion. All voted in favor of the motion.

**Roll Call:**
- Neil Mickenberg - Yes
- Emily Wadhams - Yes
- Maura Collins - Yes
- Billy Coster - Yes
- David Marvin - Yes
- Diane Bothfeld – Yes
- Andrea DeLaBruere – Yes
- Ann Fielder – Yes
- Kate McCarthy - Yes

**Deliberations:**

**Projects**

**Conservation Projects**

<table>
<thead>
<tr>
<th>Project</th>
<th>Code</th>
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<tbody>
<tr>
<td>Hubbard Park Expansion</td>
<td>2021-113-001</td>
</tr>
<tr>
<td>Egg Mountain Archaeological Preserve</td>
<td>2021-062-001</td>
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</tbody>
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Diane made a motion to approve the above resolutions as a block. Emily seconded the motion. There was no discussion. All voted in favor of the motion.

**Roll Call:**
- Neil Mickenberg - Yes
- Emily Wadhams - Yes
- Maura Collins - Yes
- Billy Coster - Yes
- David Marvin - Yes
- Diane Bothfeld – Yes
- Andrea DeLaBruere – Yes
- Ann Fielder – yes
- Kate McCarthy - Yes

**Auclair Parcel B**  
- 2018-057-002

**Auclair Parcel C**  
- 2018-057-003

Billy made a motion to approve the Auclair resolutions as a block. Ann seconded the motion. Diane brought up her concerns regarding farm labor housing and methods of ownership. She wanted the board to have further conversations with VLT about their selection process and types of farm housing. She hoped that farmers would become owners rather than tenants on the land. Neil also agreed with the need to have this conversation. He pointed out that this project is very, very complicated from a
legal point of view. There was a brief board discussion on these issues. Stacy pointed out that the farmers brought this idea to the staff with this project. All voted in favor of the motion.

**Roll Call:**
Neil Mickenberg - Yes
Emily Wadhams - Yes
Maura Collins - Yes
Billy Coster - Yes
David Marvin - Yes
Diane Bothfeld – Yes
Andrea DeLaBruere – Yes
Ann Fielder – yes
Kate McCarthy - Yes

**Other Business**
David said that he would like to further the conversation about the Woodbury Mountain Wilderness project and that with a very full January meeting this will need to happen in March. Billy hoped that sufficient time can built into board meeting agendas for policy discussions. Karen noted that she and Kate are looking to schedule a Conservation Issues Committee meeting in February to tee up the wildlands discussion.

The meeting adjourned at 12:38 pm.
Respectfully submitted,
Marcy Christian
Resolution:

1. To award up to $1,009,768 in FFY2022 VHCB funds and up to $160,232 in FFY 2020/2021 HOME CHDO funds for Organizational Development Grants to 20 organizations (ACCT, CHT, CSC, Downstreet, LHP, RURALEDGE, HTRC, TPHT, VCLF, W&WHT, CTA, CVTA, GMC, LCLT, TNC, TPL, VRC, UVLT and VLT - this amount includes a set aside for Shires Housing that will be brought to the board at a future date) in the amounts and with the conditions recommended by the Organizational Grants Committee; and

2. Staff has the authority to modify the relative amounts of VHCB and CHDO awards recommended for housing organizations, but not the total amount of any award to any one organization.
Board Resolutions as proposed by Finance Committee:

FY2021 Audit

*Recommended Resolution:*
The Board accepts the audit reports as presented by Melanson CPA for the year ended June 30, 2021.

FY2023 Budget

*Recommended resolution:*
The Board approves the FY2023 budget in the amount of $62,672,444, which includes an Operations Budget of $5,802,314.
Resolution:
To improve clarity on VHCB’s water quality screening process, the Board authorizes VHCB staff to revise #4 under Project Selection and Configuration of the September 2020 policy “Funding Conservation of Agricultural Land” to the following, and gives authorization to the VHCB Board Chair to approve any non-substantive revisions to said language in the future:

Prior to closing, the farmland owner/operator must be in good standing with VAAFM with respect to the land to be conserved and any adjacent land that is integral to the farm operation. Furthermore, the farmland owner/operator must be in compliance with state and federal water quality regulations on the land to be conserved and any adjacent land that is integral to the farm operation, or if not in compliance, must be working cooperatively with VAAFM and/or ANR, as the circumstances dictate, to come into compliance.
Resolution:  

To score this project "9" for need, "9" for impact, and "9" for quality and to award the Archaeological Conservancy a grant of up to One Hundred Ten Thousand Dollars ($110,000) for the acquisition of the Egg Mountain Settlement in Sandgate, Bennington County. This project also involves the protection of 93 acres associated with the property. The primary purpose of the award is for archaeological resource protection.

The award is subject to the following restrictions and conditions:

Special Conditions:

1. Prior to disbursement of VHCB funds, Grantee shall execute and record in the Town of Sandgate Land Records a conservation easement on the Property, to be held by VHCB and prepared by VHCB staff. The purposes of the conservation easement are to protect archaeological resources and open space values on the Property.

2. Prior to disbursement of VHCB funds, a permanent public Right of Way will be granted to the Archaeological Conservancy for access to the Preserve.

3. Prior to disbursement of VHCB funds, ownership of the property will transfer to the Archaeological Conservancy.

4. The conservation easement will include a fifty foot stream buffer to Brown Brook and the unnamed perennial stream within the property boundaries.

This project is also subject to all applicable Standard VHCB Conditions for Nonprofit and Municipal Conservation Projects.
Vermont Housing & Conservation Board
Resolution
Woodbury Mountain Wilderness Preserve • Woodbury, Worcester, Elmore, & Hardwick, Vermont
Northeast Wilderness Trust
2022-061-001- Conservation/Public Access
Board meeting date: December 7, 2021

Resolution:

To recommend deferral of the project at this time pending further discussions between VHCB, the applicant and the Agency of Natural Resources.
Vermont Housing & Conservation Board
Resolution

Auclair Parcel B ♦ South Burlington, Vermont
Vermont Land Trust
2018-057-002 – Conservation
Board meeting date: December 7, 2021

Resolution:

To amend VHCB Grant Agreement #2018-057-002, VLT, Auclair Parcel B, to increase the award by $310,000, for acquisition of development rights on the 104-acre Auclair Parcel B property in South Burlington, Chittenden County, and to effectuate the following changes to said Grant Agreement:

1. Prior to closing, Grantee shall report to VHCB on the following: progress made on the creation of a separate landholding entity, the timetable for the transfer of Parcel B from Grantee to said landholding entity, and a summary of the financing structuring for the acquisition of Parcel B.

2. The easement may include the following provisions, all subject to review and approval by VHCB staff:
   a. Sole discretion farm labor housing right;
   b. Standard cabin clause (on non-ag land, not in a wetland or riparian area).
   c. Two building complexes, approximately as depicted on the application map, with any adjustments to the complexes’ boundaries to be reviewed and approved by VHCB staff.
   d. Right for a future wastewater system within a designated building complex, which may service the exclusion area.

3. The easement may exclude 13 acres on the north end of the property.

4. Prior to closing, Grantee will share a copy of the proposed leases between the farm owner and the farm operators for review and approval by VHCB staff.

5. Prior to closing, Grantee shall report to VHCB on the possibility of connecting future exclusion area infrastructure with city water and sewer lines.

The Grantee shall otherwise remain subject to all of the Special and Standard Conditions of Grant Agreement #2018-057-002.
Resolution:

To amend VHCB Grant Agreement #2018-057-003, VLT, Auclair Parcel C, to increase the award by $61,000 for acquisition of development rights on the 67-acre Auclair Parcel C property in South Burlington, Chittenden County, and to effectuate the following changes to said Grant Agreement:

1. Prior to closing, Grantee shall provide a report to VHCB which describes: progress made on the creation of a separate landholding entity, the timetable for the transfer of Parcel C from Grantee to said landholding entity, and a summary of the financing structuring for the acquisition of Parcel C.

2. The easement may include the following provisions, all subject to review and approval by VHCB staff prior to closing and disbursement:
   a. Sole discretion farm labor housing right.
   b. Up to 3 house rights, which improvements could be owned separately from the protected property; all housing to be located in the designated building complex.
   c. Standard cabin clause (on non-ag land, not in a wetland or riparian area)
   d. One building complex, approximately as depicted on the application map, with any adjustments to the complex’s boundaries to be reviewed and approved by VHCB staff.
   e. Wetland protection zone(s), approximately as depicted on application map, with any adjustments to the complex’s boundary lines to be reviewed and approved by VHCB staff.

3. Prior to closing, Grantee will work with the City of South Burlington to get approval for a Planned Unit Development (PUD) which depicts a 4-lot subdivision consisting of 3 lots within the designated building complex and 1 lot consisting of the remaining farmland outside of the complex. If it is determined that said PUD configuration is not feasible as outlined above, Grantee shall discuss this issue with VHCB and identify a path forward that will be mutually acceptable to Grantee and VHCB.
4. Prior to closing, Grantee will share a copy of the proposed leases between the farm owner and the farm operators for review and approval by VHCB staff.

The Grantee shall otherwise remain subject to all of the Special and Standard Conditions of Grant Agreement #2018-057-003
Vermont Housing & Conservation Board
Resolution

Ricketson Farm ◆ Stowe and Morristown, Vermont
Vermont Land Trust
2017-094-001 – Conservation
Board meeting date: December 7, 2021

Resolution:

To amend VHCB Grant Agreement #2017-094-001, VLT, Ricketson Farm, to increase the award by $200,000, for acquisition of development rights on the 217-acre Ricketson Farm in Stowe and Morristown, Lamoille County. The Grantee shall otherwise remain subject to all of the Special and Standard Conditions of Grant Agreement #2017-094-001.
Resolution:
To score the application 9 for need, 9 for impact, and 9 for quality, and to award Vermont River Conservancy (the "Grantee") a VHCB grant in the amount of up to Thirty-Three Thousand Dollars ($33,000), consisting of up to $20,000 for acquisition of the Canyon Lot Parcel and up to $13,000 for associated costs. This project involves property known as the Canyon Lot located in Elmore, Lamoille County, and includes approximately 14.1 acres. The primary purpose of the award is protection of natural resources, water quality and public access.

This award is subject to the following restrictions and conditions:

1. Prior to or simultaneous with disbursement of VHCB funds, the Property shall be conveyed to Vermont Riverlands LLC, subject to a conservation easement approved by VHCB staff. The conservation easement will be held by the Vermont River Conservancy and the Vermont Housing and Conservation Board, with VRC the primary conservation easement steward.

2. The conservation easement shall include 50-foot surface water buffer zones along the Elmore Branch to protect water quality and natural resources. The buffers will provide for recreational use to be maintained, while protecting natural resources and water quality, to be reviewed and approved by VHCB staff.

3. Prior to closing, Grantee will update VHCB staff on the organization’s plan for increasing stewardship staff capacity and developing a process for reviewing GIS data that will ensure accuracy in the information prior to submitting the data to VHCB.

4. Prior to disbursement, Grantee shall develop an interim management plan for the property that details the various uses, issues and management actions envisioned for the property and addresses balancing recreational use with protecting natural resources and water quality. VHCB staff shall review and approve this plan prior to closing, but will not review and approve any potential management actions related to safety issues on the property.

5. Prior to adoption of the full management plan, an ecological assessment shall be completed and will inform the management plan. The management plan will balance recreational use with protecting natural resources and water quality, and will be reviewed and approved by VHCB staff.

6. Prior to disbursement, Vermont River Lands LLC shall demonstrate proof of liability insurance on the property in an amount satisfactory to VHCB staff.

This project is also subject to all applicable Standard VHCB Conditions for Nonprofit and Municipal Conservation Projects.
Resolved:

To modify the HOME loan associated with project #1999-091-001 to non-interest bearing.

The total HOME loan balance is $179,392.82 and is made up of $80,484 in principal and $98,908.82 in accrued interest.

The Maturity Date shall remain unchanged at November 1, 2029.
Resolved:
In addition to the restrictions and Special and Standard Conditions related to the award of ARPA-SFR funds made by the VHCB Board on September 29, 2021, which remain in full effect, this award is subject to the following additional Special Condition:

20. The VHCB Board authorizes the Board Chair to approve a staff request to substitute, if necessary, an eligible non-profit grantee to receive funds awarded to 49 Flat Street LP under VHCB award #2022-017-001.
Resolution:
To score the application 9 for need, 9 for impact, and 9 for quality, and to award the City of Montpelier (the "Grantee") a VHCB grant in the amount of up to One-Hundred and Forty-Seven-Thousand and Five-Hundred Dollars ($147,500), consisting of $147,500 for fee title acquisition. This project involves the 50.79 acre Heney property, and the 26.15 acre Johnson property that comprise the Hubbard Park Expansion, located in Montpelier, Washington County and totals approximately 76.94 acres. The primary purpose of the award is public access and outdoor recreation, and secondary purpose is natural area protection.

This award is subject to the following restrictions and conditions:

1. Prior to or simultaneous with disbursement, the property shall transfer to the City of Montpelier.

2. The total 76.94-acre Hubbard Park Expansion project will be subject to a standard VHCB conservation easement, to be reviewed and approved by VHCB staff, and sole-held by VHCB. The City of Montpelier will be responsible for preparation of the baseline documentation report, and interim management plan, and full management plan.

3. Prior to closing, Grantee shall submit an interim management plan for VHCB staff review and approval. The plan shall list proposed uses of the property and will describe how an appropriate balance between public access and recreational use will be maintained, while protecting natural resources and water quality.

4. The conservation easement shall include:
   a. 50-foot surface water buffer zones around the wetlands and streams as identified by the Montpelier Natural Communities inventory 2007
   b. Public access for non-commercial recreation;
   c. The right to build new and repair existing trails, and install recreation infrastructure consistent with the purposes of the conservation easement. Trails and recreation infrastructure may encroach within 50-foot surface water buffer zones as long as measures are taken to ensure water quality is protected and will be subject to VHCB approval prior to construction.

5. Prior to closing the Grantee shall provide to VHCB staff, for their review and approval, a Right of First Refusal on the excluded 2-acre parcel granted to an entity that develops affordable housing.

6. Prior to closing, the Grantee shall explore the potential for future right of way access across the common roadway known as Essex Way for use by the public to access the Protected Property.

7. Prior to closing, the Grantee shall provide VHCB with a right of way across the excluded 2-acre parcel for use by the public for access to the Protected Property.

This project is also subject to all applicable Standard VHCB Conditions for Nonprofit and Municipal Conservation Projects.