

**Vermont Housing & Conservation Board**

**MINUTES**

**Wednesday, March 22, 2023**

**Zoom**

**9:00**

**Board Members:** Neil Mickenberg, David Marvin, Emily Wadhams, Maura Collins, (VHFA), Ryan Patch (designee for VAAF), Kate McCarthy, David Riegel (designee for AHS); Ann Fielder, Clarence Davis, Billy Coster (designee for ANR), Amy Richardson (All Board Members called/zoomed in)

**VHCB Staff:** Gus Seelig, Jenny Hyslop, Elizabeth Egan, Anne Duffy, Marcy Christian, Leah Sare, Stacy Cibula, Bill Dell'Isola, Karen Freeman, Beth Schwarz, Gretchen Rittenhouse, Ginger Nichols, Trey Martin, Emily Phillips, Bonnie Woodford, Holly McClintock, Ethan Parke, Isaac Bissell, Tyler Strange, Janice Pello, Francis Sharpstene, Pollaidh Major, Liz Gleason, John Grosvenor, Kim Lyons, Craig Peltier

**Others Present:** Al Karnatz, Britt Haselton, Donald Campbell, Tucker Malone (Vermont Land Trust), Meg Campbell (Preservation Trust of Vermont) Martha Prince, Melanie Prince (landowners): Jake Kornfeld, Spencer Hardy, Tucker Andrews (The Farm Upstream LLC); Olivia Strong (Jericho Underhill Land Trust); John Antram, Charlene Wallace (The Goethe Community Trust); Elisabeth Kulas (Consultant), Avaloy Lanning (NewStory Center)

Chair David Marvin called the meeting to order at 9:00 am. He welcomed everyone to the meeting a beautiful spring day.

**Public Comment**

No public comment received.

**Project Presentations**

**Branon D&S II, Fairfield – Vermont Land Trust  
2022-090-001**

Vermont Land Trust has requested \$438,500 in VHCB funding. Holly McClintock, along with Al Karnatz and Tucker Malone from VLT, presented the project. Holly explained that the Branons operate as Branon Shady Maples, one of the top maple producers in the state of Vermont. They also provide design, layout, and machinery installation services to local sugar makers.

Tucker explained that the property that the Branons are conserving at this time was previously owned by Margaret Ryan, Damian's aunt, who recently passed away and left the land to Damian in her will. The farm and adjacent homestead had been in the Ryan family since the 1850s, shortly after the family emigrated from Ireland.

The board memo explained that Damian decided that conserving the land would honor Margaret's legacy, not only by keeping the land in permanent agricultural use, but also by using the funds from the sale of development rights to renovate the homestead that Margaret lived in for many years. The house was once a beautiful, quintessential brick farmhouse that Damian will move his own family into when renovation work is complete. The 2-acre homestead will be excluded from the easement, as will be a 3-acre area that is the site of another previous homestead (currently in poor condition) that will either be torn down, or renovated as housing for one Damian and Stephanie's four sons.

Tucker also pointed out that a tributary of the Black Brook will be protected by a 50' riparian buffer. Emily asked about the existing barn and the wooden silo and asked staff to follow up with Damian about a potential barn grant to save the structure. She also asked staff to seek clarification about whether VHCB funded projects receive priority in current state statute for state barn grant funding from the Division for Historic Preservation.

**Bessette, S, E&B, Franklin – Vermont Land Trust  
2022-117-001**

Vermont Land Trust has requested \$348,500 in VHCB funds. Holly McClintock and Tucker Malone and Al Karnatz presented the project. Holly explained the Bessette family has been a prominent dairy family in Franklin County for decades, and they are no strangers to conservation. Since 1995, they have conserved 893 acres of farmland in this area. The addition to their operation to be conserved at this time is a 92-acre bare land parcel that contributes to a contiguous block of thousands of acres of conserved farmland spanning across northern Franklin County.

The board memo explained that the primary operator of the conventional dairy farm is Scott Bessette, while his wife Beth manages the finances. Their 23-year-old son, Bradley, fell in love with dairying in childhood, and Scott says that they would have sold their cows if it weren't for Bradley's enthusiasm to carry on the venture. Bradley manages the cows, and Scott prefers to work the fields, so together they make a great team. The Bessettes purchased the property in February 2022. This acquisition was especially exciting for Bradley, whose 1/3 interest in the farm marks his very first investment in farmland.

The size and location of the property make it very suitable for a beginning farmer in the future, especially since the exclusion area is well equipped to provide a future home site. Tucker explained that the easement will also include a 5.8 acre wetland protection zone on the northwest border of the parcel.

**Hunt/The Farm Upstream, Jericho – Vermont Land Trust  
2023-018-001**

Vermont Land Trust has requested \$563,500 in VHCB funds. Stacy Cibula and Al Karnatz presented the project with the owners of the property, Martha Prince and her daughter, Melanie, as well as, Jake Kornfeld, Spencer Hardy and Tucker Andrews from the Farm Upstream LLC. Olivia Strong from the Jericho Land Trust attended as well. The board memo stated that the land to be conserved was previously owned by Marjorie Hunt, who passed away in November 2021.

The land is currently in the hands of the estate, of which Marjorie's daughter, Martha Prince who serves as the executor of the estate. The land to the north of the subject property will be retained by Martha when the farmland is sold to the incoming farmers.

Martha talked about her family's legacy on the farm and the importance of conservation to the family. Olivia explained that Jericho Land Trust will be fundraising \$20k and that there is strong community support for the project. Melanie talked about their family's excitement to have the farm back in agricultural use.

Jake Kornfeld spoke about their five-member cooperative called The Farm Upstream, LLC (Jake Kornfeld, Cory Froning, Jacqueline Huettenmoser, Spencer Hardy, and Tucker Andrews). This will be The Farm Upstream's first owned parcel, and its location, size, and good agricultural soil base make it an ideal spot to expand and diversify. Their team has over 25 years of combined farming experience in a variety of professional settings, and bring an extensive knowledge base to this budding venture. The easement will include a riparian buffer zone along the Lee River, which has 3,670' of frontage on the parcel.

There was a board discussion about the LLC's operating agreement and how it works if someone leaves the organization. Jake explained that they are working with an attorney on these plans and will be addressing many of the questions brought up in the discussion. There were also several questions about the farm's location in regard to the village center district. Al explained that a small section of the property was located in the one acre zoning area but most of the property was zoned as 5 – 10 acre building parcels. There is strong support for this project in Jericho and VLT will be asking for funding from the town's conservation fund.

### **Champlain Club, Burlington – Goethe CT 2023-044-001**

Goethe Community Trust, Inc. has requested \$110,000 in VHCBC funds with an additional stewardship endowment to Preservation Trust of Vermont for \$10,000. Ethan Parke and John Antram and Charlene Wallace from The Goethe Community Trust, Inc. presented the project. Ethan explained that the Goethe Community Trust is requesting funds to help with the costs of restoring the exterior of an 1896 building that was a private social club and is now a community center. Ethan updated the board that they recently received notification that a formal determination has been made that the building is outstanding historically.

The board memo explained that the building stands on Crowley Street, a short dead end street off North Avenue in Burlington's Old North End. It was one of many such lodges established across the US as part of a German-American cultural association. The structure on Crowley Street is historically significant because of its important role in the cultural life of the German immigrant community in Burlington. Many German immigrants settled along North Avenue in the late 1800s and worked for local construction companies that were engaged in housing construction—converting the farm fields of the Old North End into the dense residential area it is today. The neighborhood also once hosted many small shops and stores owned by German Americans. The lodge also offered assistance to newly arrived immigrants, and provided space for special events such as wedding receptions and banquets.

John explained that in 2021 the club adopted new bylaws and became a nonprofit community service organization. The name “Champlain Club” will be become North Star Community Hall reflecting the new corporate status and mission. Neil asked about parking and John said there is parking within walking distance on nearby side streets and North Avenue.

### **Historic Preservation Stewardship Report**

Karen Freeman introduced Meg Campbell from Preservation Trust of Vermont to the board. Meg spoke about their stewardship work. They are providing stewardship for 60 active VHCB easements including 85 buildings, other structures, archeological sites and land areas around the state. Many of these projects serve as centers of their communities. Preservation Trust’s stewardship of these projects includes annual visits, as well as, processing requests for modifications, easements review and property transfers by staff and board committees. They look at maintenance issues and since the pandemic have been working on ventilation systems in many of this older buildings. They have also been creative, working with other nonprofit partners around the state including Vermont Youth Conservation Corps on restoration jobs. Several of these projects have recently been awarded Congressionally Directed Spending funds. Gus expressed his concern about decisions by the National Park Service that have been unreasonable and added significant costs to affordable housing projects, and he and Emily agreed this was an issue for further discussion with the NPS. Board members and VHCB staff thanked Meg and PTV for their wonderful work around the state.

### **Supplemental Housing Requests:**

#### **NewStory Supplemental, Rutland – NewStory Center 2022-104-001**

NewStory Center has requested up to \$498,500 in additional ARPA-SFR funds. Gretchen Rittenhouse, Elisabeth Kulas and Avaloy Lanning from NewStory Center presented the updates to the project. The board memo stated that the total development budget is now \$1,851,000, as compared to \$1,023,761 at the time of the initial VHCB award. This increase is substantial but aligns with the trend staff has been observing across other recovery housing and other small scale projects.

At VHCB staff’s request, NSC and their development consultant assessed whether there were reasonable alternatives to their plans for the redesign and renovation of 101 Grove Street. They looked at the few buildings that are available, considered the implications of attempting to buy and convert a local motel, and considered the possibility of delaying and re-bidding the project. Even setting aside their carefully considered plan for an integrated shelter, service, and administrative campus in their residential neighborhood, they concluded that there were no properties on the market that could meet their needs, while local motels are not located in an area that they consider safe for their clients and are a poor fit with their particular service model.

There was a board discussion about the increased costs for housing projects around the state. Elisabeth Kulas discussed the high costs of construction and real estate in the Rutland area. She thanked the board for the funding of this project since there are not as many funding resources for these projects. Jenny updated the board that staff have been working with the Agency of Human Services on an award of state general fund to VHCB and an agreement had been reached on this funding this morning. The funds will be designated for projects which rehabilitate or expand shelter capacity, or for units designated for those exiting homelessness. Provided these funds are in place

prior to this project's closing, staff anticipate swapping them for the ARPA funds in the project, as described in the resolution. Board members expressed support for this project.

**Committee to manage future requests:**

David explained the request to the board. Board memo explained that staff anticipate about 18 closings between now and the end of the fiscal year, some of which will be bringing VHCB substantial supplemental requests. Staff expect several could exceed \$1 million and one larger project that may ask for \$5-6 million. There was a board discussion about the plan and the composition of the committee.

Staff recommended that the Board establish a committee of Board, with the authority to:

- Make supplemental funding awards to housing projects, and
- Authorize changes to special conditions and affordability restrictions, and
- Make other modifications to prior awards as needed to advance previously funded projects

Neil made the motion to accept the staff recommendation to create a special ad hoc board committee. Ann seconded the motion. Neil, David, Maura and David Riegel will be on the committee. Other Board members who wish to participate were invited to be in touch with David. All voted in favor of the motion.

**Roll Call:**

Neil Mickenberg - Yes

Emily Wadhams - Yes

David Marvin - Yes

Ryan Patch – Yes

David Riegel – Yes

Ann Fielder – Yes

Kate McCarthy – Yes

Clarence Davis – Yes

Amy Richardson – Yes

Maura Collins – Yes

Billy Coster - Yes

**Farm and Forest Viability Program Update**

Liz Gleason, the Viability Director, presented an update on the Farm and Forest Viability Program. She shared some information from the Viability Annual Report. She highlighted several areas that have had a strong impact in 2022. They included business planning for farm, food and forest enterprises; addressing emerging issues in the dairy industry, housing for farmworkers and ongoing pandemic recovery services; forest health & connectivity and the rural economic development initiative. There was a board discussion about the program. There was a lot of interest in the REDI projects that have been funded in the past several years. David thanked Liz and her team for their great work.

**Consent Agenda**

Emily made the motion to approve the Consent Agenda. Neil seconded the motion. All voted in favor of the motion.

The Consent Agenda consisted of:

- 1) FFVP Authorization to apply for NBRC funding
- 2) FFVP Service Provider Contracts
- 3) Conservation Strategies Initiatives (2023-068-000)

### **Roll Call**

Neil Mickenberg - Yes  
Emily Wadhams - Yes  
David Marvin - Yes  
Ryan Patch – Yes  
David Riegel – Yes  
Ann Fielder – Yes  
Kate McCarthy – Yes  
Amy Richardson – Yes  
Maura Collins – Yes  
Billy Coster - Yes

### **Director’s Report & Legislative Update**

Gus gave a brief update to his staff report. It has been a very busy time in the legislature with lots of committee work. The Budget Adjustment Act has passed with an additional \$27,500,000 going to VHCB for housing production and increasing shelter capacity. VHCB is now waiting to hear from House Appropriations about base funding, as well as, possible additional one time money for housing. Gus invited the board to the celebration of our 35<sup>th</sup> anniversary on June 15<sup>th</sup> at Shelburne Farms. David asked for a Holton Homes update and Gus explained that they are working with the Brattleboro Retreat on a proposal that would involve a three-year lease option for the property. There was a brief board discussion about the Act 250 issues being worked on in the legislature.

### **Finance Report**

Anne provided an update to her memo. VHCB has signed the audit contract with Marcum and will be working with the recently acquired Melanson, our previous auditors, again this year. She explained that there are plans to come back to the board with a revised budget in June once the legislature and the Administration have agreed on the state budget. David and the board thanked Kathy Barrows for all of her excellent work over the past eighteen years.

### **Minutes**

Maura moved to approve the minutes of the January 26, 2023 Board Meeting. Neil seconded the motion. All voted in favor of the motion except Ryan Patch who abstained since he was not the designee at that meeting.

### **Roll Call:**

Neil Mickenberg - Yes  
Emily Wadhams - Yes  
David Marvin - Yes  
David Riegel – Yes

Ann Fielder – Yes  
Kate McCarthy – Yes  
Amy Richardson – Yes  
Maura Collins – Yes  
Billy Coster - Yes  
Ryan Patch - Abstained

**Policy Issues**

Gus brought up several issues for future board discussion. The funding caps on projects and a transformed real estate and construction markets could be a subject for the retreat in the fall. Emily reiterated her concern about losing opportunities to save barns and clarifying if conserving will give landowners priority to apply for state barn grants. The issues of the high cost of housing for young farmers and village center development are also policy areas that the board could discuss at future meetings.

**Deliberations:**

**Projects**

**Farm Projects**

<b>Branon D&amp;S II</b>	<b>2022-090-001</b>
<b>Bessette, S, E&amp;B</b>	<b>2022-117-001</b>
<b>Hunt/The Farm Upstream</b>	<b>2023-018-001</b>

Kate made a motion to approve the resolutions as a block. Neil seconded the motion. Neil expressed concern about the LLC agreement on The Farm Upstream. There was a discussion about this issue. Emily hoped that the barn on the Bessette project would be looked at further and encouraged staff to explore the barn grant options with the Branons. All voted in favor of the motion. David Marvin abstained from the Branon project.

**Roll Call:**

Neil Mickenberg - Yes  
Emily Wadhams - Yes  
David Marvin – Yes – Abstained from the Branon Project  
David Riegel – Yes  
Ann Fielder – Yes  
Kate McCarthy – Yes  
Amy Richardson – Yes  
Maura Collins – Yes  
Billy Coster - Yes  
Ryan Patch - Yes  
Clarence Davis - Yes

**Historic Projects**

<b>Champlain Club</b>	<b>2023-044-001 &amp; 002</b>
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Emily made a motion to approve the resolutions. Neil seconded the motion. All voted in favor of the motion. David Marvin and Emily abstained from the Preservation Trust award.

**Roll Call:**

Neil Mickenberg - Yes  
Emily Wadhams – Yes - Abstain from PTV award  
David Marvin – Yes - Abstain from PTV award  
Ryan Patch – Yes  
David Riegel – Yes  
Ann Fielder – Yes  
Kate McCarthy – Yes  
Amy Richardson – Yes  
Maura Collins – Yes  
Billy Coster - Yes  
Clarence Davis - Yes

**Housing Projects**

**NewStory Supplemental**

Neil made a motion to approve the resolution. Ann seconded the motion. David Riegel stated that AHS considers this project a high priority. All voted in favor of the motion.

**Roll Call:**

Neil Mickenberg - Yes  
David Marvin – Yes  
Ryan Patch - Yes  
David Riegel – Yes  
Ann Fielder – Yes  
Kate McCarthy – Yes  
Amy Richardson – Yes  
Maura Collins – Yes  
Billy Coster – Yes  
Ryan Patch – Yes  
Clarence Davis - Yes

**Other Business**

No other business at this time.

The meeting adjourned at 12:14 pm.

Respectfully submitted,  
Marcy Christian

