

CPI COMMITTEE-OF-THE-WHOLE  
MAY 20, 2014 - MEETING SUMMARY

**Attendees:**

Pete Bosanic, John Byl, Meg Coughlin, Anne Couture, Jean Derenzy, , Carrie Geyer, Marc Hatton, Anne Jameison, Jennifer Kanalos, Bhushan Modi, Arthur Siegal, Jim Tischler, Dan Wells, and Steve Willobee

**On Phone:**

Jim Enright, Jeff Hawkins, Anne Giroux, Anthony Pecchio, and Kara Wood

**Not Present:**

Nikole Brown, Katharine Czarnecki, Ed Eickhoff, Jeff Furton, Eric Helzer, Andy Such, and Grant Trigger

1. Each subcommittee provided update on progress (see attached update).
2. Discussed format for presenting recommendations. Form was discuss and modified based on discussion (see attached recommendation form)
3. Schedule for Workgroup Completion:
  - a. **June 26<sup>th</sup> Meeting:** June meeting will be pushed back a few weeks. At this meeting, all committees should have draft recommendations ready for the group to discuss.
  - b. **July Meeting:** (date to be determined) All recommendations compiled into single report and proposed legislative changes drafted for final workgroup approval.

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April – May Committee Updates

1. SITE RECLAMATION RULES COMMITTEE

- No meetings have taken place this month.
- Committee completed its charge in April and recommendations remain the same.
- Recommendations forwarded to Legislative committee for incorporation into proposed legislative changes.
- Formal recommendation to be prepared for June Meeting.

2. LIABILITY COMMITTEE

- No meetings have taken place this month.
- Committee completed its charge in April and recommendations remain the same.
- Recommendations forwarded to Legislative committee for incorporation into proposed legislative changes.
- Formal recommendation to be prepared for June Meeting.

3. CORE COMMUNITIES/PLACEMAKING COMMITTEE

- Jim Tischler presented a conceptual framework (below) for identifying a place-making project, based on prior meeting documents and discussion.

Location Criteria

- i. Within a community neighborhood Center/Corridor having minimum 70 WalkScore.
- ii. Is mixed-use having varied residential and commercial uses within existing building/block structure.
- iii. Is located within ¼ mile of a transit service and designed/within an area subject to Complete Streets policy/ordinance.
- iv. Has ALL existing infrastructure service in-place or will as result of project.

Design Criteria

- i. Project is a within-building or adjacent-building use mix having varied residential and commercial uses.
- ii. Project has appropriate form, mass, placement and scale to existing block/area or will implement such pursuant to adopted plans/codes.
- iii. Adjacent transportation infrastructure exists or will be Complete Street-oriented as result.
- iv. Housing (if included) is consistent with areawide Target Market Analysis (if available).
- v. Site and adjacent environmental system(s) presently meet BMP standards or will document such as result.

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Community Criteria

- i. Supported by current (within last 5 years) plans:
  - ii. ALL plans - Regional, community, subarea (if applicable).
  - iii. Is demonstrated to be a direct execution action of plan(s).
- Questions and comments over the above criteria ensued. Members decided to develop their comments into proposed revisions for discussion at next meeting.
  - Next Meeting scheduled for Monday 5/28, 1:00 – 3:00 at MEDC.

4. LEGISLATIVE COMMITTEE

The committee met by phone and laid out a timeline for submitting comments and suggested changes to the language of Parts 195, 196, 201 and Act 381. Drafts were sent out and one call occurred; another is scheduled for the end of this week. We expect to have an interim final draft set of language, questions and recommendations for policies/rules by the June meeting.

5. PROGRAM IMPLEMENTATION

The Program Implementation Committee has been working on the following:

- LSRRF
- Administrative costs for grants and loans
- Ad Board Process

6. DEMO, LEAD & ASBESTOS, DREDGING

A. Demo – General

- i. Demolition includes mass demolition and selective interior demolition.
- ii. Demolition performed to address contamination is considered to be a response activity, rather than a demolition cost.

B. Demo – Grants

- i. Eligibility requires that there be a project.
- ii. Preference is for grants to not serve as primary source of funding for demolition, as these funds might be more appropriately focused on supporting the environment investigations or due diligence activities.
- iii. If MDEQ is funding demolition work without a directly corresponding response activity, there must be a clear environmental component to the project, and the total cost for eligible environmental activities (regardless of the funding source for that work) should exceed those for demolition costs.

C. Demo – Loans and TIF

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- i. Preference is for work to be associated with a project, but communities can receive loans for work done to facilitate future development if the economics work for underwriting, and after an MDEQ consultation with MEDC on the viability of future development
- ii. If MDEQ is funding demolition work without a directly corresponding response activity, there must be a clear environmental component to the project, and the total cost for eligible environmental activities (regardless of the funding source for that work) should exceed those for demolition costs.

D. Lead & Asbestos abatement

- i. Abatement includes removal, disposal or encapsulation of asbestos-containing materials (ACM) or materials containing lead.
- ii. Lead and asbestos can present a threat to public health, but were not part of the activities contemplated under Part 196. Asbestos abatement and is specifically exclude from eligibility under Site Rec Rules, but this prohibition may be removed with the proposed elimination of those Rules.
- iii. Upon elimination of Site Rec Rules, removal of lead or asbestos could be deemed a response activity, when the current state of the lead or asbestos presents an immediate risk to human health. If Site Rec Rules are not eliminated, prohibition on asbestos abatement under Part 196 should be removed.
- iv. If MDEQ is funding abatement that is not a direct response activity, there must be a clear environmental component to the project, and the cost for eligible environmental activities (regardless of the funding source for that work) should exceed those for the abatement costs.
- v. Currently, building hazardous material surveys are eligible for funding under grants or loans, and such surveys should be made eligible for school TIF funding, prior to approval of a work plan. Pre-demolition surveys should also be eligible when the associated demolition work is ultimately covered by MDEQ.

E. Issues outside purview of DLAD committee

- i. MEDC should consider adding building hazardous material surveys and pre-demolition surveys as eligible for school TIF funding, prior to approval of work plan.

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**Committee Report Format**

**Committee Name:**

**Issue Statement #** Choose an item.:

**Specific Action to be Taken:**

Statutory  Rule

Policy

Governance (Process)

**Recommendations:**

**Supporting Arguments:**

I. Pros

II. Cons

**Draft Legislative Language (if appropriate):**

**Recommended Follow up Actions (if appropriate):**