

Meeting Minutes- Natural Resources and Conservation Committee
Wednesday, January 08, 2020

ATTENDING

Members Gail Albert, Don Rendall (minutes taker), Bob Paquin (by phone), Peg Rosenau, Susan Moegenberg, Fred Morgan, Sean MacFaden, Jon Cocina, and Mike Schramm (arrived 8:10)
Staff Dean Pierce

Guests Rob Infantino, Seth Goddard, Dave Marshall

CALL TO ORDER

The meeting was called to order at 7:09 by Chair Gail Albert.

APPROVAL OF AGENDA

On a motion by , seconded by , the agenda was approved.

APPROVAL OF MINUTES

On a motion by to approve the minutes of the December 11 2019 meeting, was seconded by . Susan indicated the approval of \$50 for her attendance at the "Caring for Natural Resources in the Vermont Natural Environment" workshop by ANR was incorrect as it was requesting a suggested donation and no receipts were given. The minutes were approved. Fred motioned to approve a donation to the ANR for the workshop which Don seconded and the vote was near unanimous with Susan abstaining and Peg voting no stating the state agency should not work this way. Jon subsequently made a clarifying motion that the donation be \$50 seconded by Fred – same vote count.

OPEN TO PUBLIC

There were no comments.

DEVELOPMENT REVIEW

Whalley subdivision (Irish Hill Road)

Dave Marshall described the changes incorporated into the second iteration of this proposed preliminary design. As requested, open space corridors have been expanded in two locations, lots 2 & 3 building sites were shown, and new swales for stormwater processing along the road/drive were added per state requirements. Lot 9 is still not complete designing the viewing site lines for forest clearing as this is being quantified.

Gail introduced comments from Kate Kelley (Lewis Creek) regarding significant spring peeper populations in the wetlands along the road (which she suspects was once larger and probably filled in) which over-winter in the forested area to be developed for lots 4, 5 & 6 and in spring migrate to the wetland for breeding. Kate is suggesting the houses be located out into the field and roadways be minimized. Kate also suggested further wetland evaluation on the entire property if additional habitat needed protection. It was strongly urged that the applicant review the UVM species survey document and modify the project design based on the UVM recommendations in order to provide protections for the amphibian population. Gail will forward the information to Dave for evaluation.

Baptist Church subdivision (Webster Road)

Seth opened the presentation describing the new lot layouts for four duplex structures. The frequent sightings of foxes and deer as well as other species in the project area and corridors passing into adjoining land of the Farmstead subdivision was called out as impacts. Storm water processing has caused much of the proposed design changes with the land having no hydric soils (all clay) showing on related maps. Seth described how the design is to capture storm water amounts from all the impervious surfaces calculated for a 100 year storm and process to the required water quality standard with two gravel wetlands to be built near the entrance to the property.

Further discussion centered on the design of the open space border: was it/would it be mowed? Per Town regulations it should be left natural/undisturbed. The design was criticized for not maintaining

the proper width in two places (the design reacting to Fire Department requests) violating PUD reg 1930.3 and needed change. Sidewalks were missing in the design.

Recommendations: 1.) Homeowner Association covenants to stipulate per the Town plan that open space be left undisturbed (not mowed) for recreation uses, 2.) The design should stipulate a 50 foot width of the entire perimeter buffer (excepting the entrance to the property) possibly by changing the property lines which are not finalized at this point, 3.) Sidewalks should be added to the design along the road to separate foot traffic from vehicular, 4.) Further construction detail should be provided regarding the gravel wetland, the Homeowner Association covenants should clearly address the required maintenance, and vegetative species to be planted should be clearly identified.

No further development review was discussed.

Development Review Checklist It was stated that the checklist initially developed by Dean is a good outline to follow ensuring that all SNRCC issues are covered in a review. It could be enhanced with more detail and related regulation references which will be required when we are commenting. General agreement was that SNRCC is too constrained in a review needing to react quickly and unable to do a thorough job in our reviews. We should require advance warning & documentation of upcoming reviews so that we can check maps and gain familiarity of the project prior to the meeting with the applicants. The suggestion was made that we split up the issues on our check list among our members, each to develop an expertise in a particular subject so that we are more efficient.

Open Space Fund Budget progress – going into the previous nights Select Board meeting, the line item value for the Open Space Fund was \$0 while Pond Road was allocated \$50k at this point for paving. The discussions resulted in \$32,500 being added to the OSF. Members are asked to remain diligent and present to advocate for our cause in remaining budget meetings.

It was agreed that the next meeting would again address the funding issue – should we create a Land Trust? Half penny on the tax dollar advocacy? Etc.

Paving of Pond Road was discussed the pros and cons.

Sean made another mapping presentation, the base map displayed highlighted, at the one meter detail level, the forest blocks of five acres or more (a subjective number smaller than previously defined blocks), grassland fields of 20 acres or more (from Audubon grassland bird required areas), wetlands of 225 square meters in size (a number used by the state), and shrublands. This was then overlaid with conserved lands so that the remaining areas are natural resources that are not protected. Susan was at the same time looking at the State BioFinder software which identified similar resource areas which gives us confidence that Sean’s map identifies important features and efforts to protect these areas would yield positive results for Natural Resources. It was mentioned that the BioFinder does not display at the fine level of detail as Sean has produced but its emphasis on species habitat is equally interesting.

How then to move on to crafting new regulatory language which will provide enhanced protection for these resources? The regulatory language should stress first Avoid, then Minimize impacts, finally Mitigate impacts. Could we prioritize areas within those highlighted for greater emphasis. A scoring system like the one described in the old Open Space Plan could be utilized. We still do not have an expertise in clearly stating what particular animal resource exist in any particular spot but want to be able to require the developer to do the research.

Discussion centered on formation of a sub-committee to move the language drafting forward. It might first look at the Rural District and Rural PUD language. Earlier discussions with the Planning Commission regarding a hamlet development approach which emphasized development near transportation roadways/corridors and away from our identified resource areas is to be emphasized.

Water Quality and Storm Water Don made a brief presentation on the topic with a handout which was to be the focus of attention when members got home as time was running late. The handout will be uploaded to a Google document for members to edit to move the discussion forward. The idea of having several experts present to the SNRCC in the near future was encouraged.

Some discussion was held regarding the Ewing proposal and lack of progress.

At 9:57 Susan motioned to close the meeting and with Fred's second the unanimous majority prevailed.

and that the Chair be authorized to provide the applicant with a letter for the DRB. Jon Cocina seconded. The motion was approved.

Trinity Baptist

De facto project manager Rob Infantino described the plan, which proposes 8 duplex units (four buildings) on a lot that would be carved from the Trinity Baptist Church parcel. The proposal is still conceptual. Rob focused his remarks stormwater and landscaping. Members posed several questions. Sean M. suggested the project be clustered to a greater degree. A more refined plan for the project will be discussed at a future meeting.

Harris/ High Acres

Jeff Herzberger gave an overview of the project. The project consists of a 3 lot residential resubdivision (labeled as Boundary Line Adjustment but not qualifying for review per 320A and 330A) of land totaling roughly 170 acres. The size and configuration of the three parcels would change substantially. In Mr. Herzberger's words, the boundaries would be made more "sensible." Peg Roseanua moved that the Committee recommend approval of the plan and that the Chair be authorized to provide the applicant with a letter for the DRB. Bob Paquin seconded. The motion was approved.

HUMAN/WILDLIFE INTERACTIONS POLICY

Jim White introduced the topic, which relates to the Selectboard's consideration of a policy regarding management of beaver activities affecting public property. Selectboard member Jerry Storey described the evolution of that policy. Given the recent discussions, new language in the Comprehensive Plan, etc., the Selectboard is asking the SNRCC to take the lead developing an "omnibus" policy addressing human-wildlife interactions.

Jerry Storey suggested creation of a working group. The working group could "scope" the task and present information back to the entire SNRCC. Mike Ashoo sought committee member reaction to the idea. Peg Rosenau explained that the SNRCC has traditionally focused on "indirect" interactions. This task would include both direct and indirect interaction, she observed, and has a potentially huge scope. Mention was made of different specific interactions (e.g., rabid animal calls, auto-animal collisions). Jerry Storey opined the "reach of the policy should be considerable." But also "Let us know what you are thinking."

Discussion continued. Fred Morgan posed questions about state requirements affecting injured wildlife. Sharon MacNair responded and also commented on options homeowners have to control of small animals in attics. She also mentioned the availability of reliable sources of information. Peg Rosenau wanted to know "what are we lacking?" Josh Dein suggested the effort should focus on the practical things we need to do, what can help town residents, and what can help town employees. Mike Ashoo added that the policy should govern behavior of Town employees when interacting with wildlife but recommend behavior and educate members of the general public.

Discussion continued further. Sean MacFaden commented on the different scales (from individual staff members to the entire landscape) the discussion can take place on. Don Rendall and Jerry Storey

both referenced the work now taking place on a regional level, work which recognizes that wildlife resources are not contained by political boundaries. Jim White commented in similar policy work being done in the Town of Salisbury, south of Middlebury.

To help wrap up the discussion, Don Rendall expressed support and indicated a subcommittee is the way to go. Others agreed. Dean Pierce will create a Doodle Poll in hopes of helping find a mutually agreeable date and time for discussion. Results of the discussion will be reported at the next SNRCC meeting.

PRIORITIZING LANDS BEFORE THEY ARE THREATENED OR LOST

Mike Schramm led a discussion of land in Shelburne that should be prioritized and if possible protected before it is lost due to some unanticipated threat. His concern might be embodied in the idea 'What can the town do to avoid a situation like what happened when land along the Laplatte River was converted to a rail facility and salt storage site?' Dean Pierce provided a thumbnail history of the site, including zoning classifications. The group then spent several minutes reviewing and discussing maps (including maps prepared by the SNRCC for the Planning Commission). Many valuable and/or sensitive areas were identified. Jon Cocina posed the question 'What do we do?' Mike Ashoo voiced support for increasing the size of the open space fund, perhaps by increasing the annual contribution to a penny on the tax rate. Mike Schramm expressed concern about lands located along the railway. Sean MacFaden emphasized the importance of personal relationships being developed with the owners of important properties. Before concluding the discussion, the group agreed that conversations such as this one should occur on a regular basis.

POSSIBLE SPECIAL MEETING TO DISCUSS BYLAW CHANGES

Those assembled discussed the possibility of scheduling a special meeting to consider the work being done on bylaw changes (work by Don Rendall). The group agreed to meet again in a special meeting on September 25, with bylaw changes being the sole agenda item.

CONSERVATION PROJECTS

Dean Pierce reported there was nothing to report regarding conservation projects that had not been discussed previously. He also mentioned the plans of the Regional Conservation group to hold a public engagement event on the Ewing property on the third Saturday in October. Questions were asked about the status of the effort to conserve some of the agricultural land on the Ewing property. Dean Pierce will check with Al Karnatz.

UPDATES

Dean Pierce mentioned that the Planning Commission has agreed to hold another joint retreat with the SNRC. A Doodle poll will be launched in the next week or two. Owing to a variety of factors, the

most likely time is late October or early November, although the poll will include dates in mid October and December.

Don Rendall reported on his participation in the Regional Conservation group meeting in South Burlington. He attended (along with Gail Albert) while Dean p was on vacation. Sean MacFaden made an announcement relating to the availability of new GIS data for conserved lands, and there was a brief discussion of its contents and the mapping activities of the regional conservation group.

As the SNRCC's newest member, Bob Paquin introduced himself and described his work experiences and background (including many conservation projects "at the 30,000 foot level." In reference to the hour he also remarked "Don needs a gavel."

ADJOURNMENT

The meeting adjourned at 9:45, upon motion by Jon Cocina and unanimous vote.