

Meeting Minutes
Natural Resources and Conservation Committee

Includes special Joint session with Tree Committee from 6:30 to 7:00PM
SNRCC meeting to begin 7:00 PM
Wednesday, March 10, 2021

**Attending: Mike Schramm, Bob Paquin, Gail Albert, Don Rendall, Fred Morgan, Peg Rosenau
, Chandler Noyes, Sean MacFaden, Jon Cocina**

- Hold Joint Session with Tree Committee: – 6:30 –
 - Ended at 7:10
- Start SNRCC meeting: – 7:00
 - Started 10 minutes late.
- Preliminary matters– 7:01 -7:10
- Confirm audio/video and address technology questions

- Identify minute taker – Jon Cocina taking notes

- Review and Approve Agenda
 - Bob moved, Fred seconded. All approved

- Review and Approve February notes
 - Fred moved to approve minutes with typos corrected and Don’s amendment which he will forward to Dean. All in favor.

- Public Comment (for items not on agenda)
 - No public comments

- Development Review – 7:10-7:20
 - Discussion of Elston project (Section 600 letter) (Plans Provided)
 - Anne & David representing themselves
 - Family owned property would add one existing home. The hope is to clear out the buckthorn and honeysuckle on the property.
 - Mike asked about how the building envelope extends west in a narrow strip.
 - Don asked about where the Northern boundary is and where the backup wastewater treatment areas (which are part of Lot 1)
 - Sean recommended the same change as Mike. Can the boundaries of Lot 2 not extend so far west.
 - Sean also recommended using a forester to create a management plan for the invasive species and how best to bring back the native vegetation.
 - Gail asked about wetlands. There are NOT any. The dark areas on the map show steep slopes.
 - Elstons seemed open to adjusting the building envelope. They will try to follow up with the committee within the next couple days with this update.
 - Mike made a motion to allow Gail to provide the 600 letter with a comment about adjusting the building envelope (western portion of the envelope) if the applicants don’t adjust it proactively. If they come back with the adjustment, Gail is authorized to approve as is. Don seconded. All in favor.

- Regulatory reform and related bylaw changes– 7:20-8:20

- Don mentioned that the Planning Commission is creating a proposal for Select Board with high priority items. Priorities may include open space definition and considerations for rare and endangered species.
 - Don asked whether it should be mandatory for previous provisions on a property to be brought by the applicant or by the DRB? (This pertains to what happened with the Rice Lumber property. Original permit was for four homes. Updated proposal was a new subdivision with the addition of an apartment complex.) Committee hopes that previous decisions should be part of the decision-making process.
 - Don mentioned how they are trying to streamline processes. Putting the responsibility on the applicant makes it less effort for the town.
 - Sean was wondering if the previous conditions should simply be part of the process (staff report). Isn't this already happening. If we leave it to the applicant, they might not be forth coming.
 - Dean commented. Staff report generally list conditions of approval, but sometimes the staff person may have missed a previous condition. Commented that it seems the committee wants these previous conditions to be taken seriously. How do we do it? Applicants seeing the old conditions may self-edit themselves by being educated. But how do we ensure the DRB takes these conditions seriously. Staff report happens after application. If we now require conditions to be listed in application, staff is sure to see them. Requirement on applicants should happen as early as possible.
 - Mike – Agrees that the applicant needs to research conditions. Would hope that the staff would also need to do a search to ensure there's alignment and transparency of all the previous decisions.
 - Gail agrees with Mike. Would like to see previous conditions cross-checked.
 - Fred – Also aligned with Gail and Mike. Oversight on the applicant would be helpful.
 - Gail asked about eliminating steps in the review process. Is it possible that sketch will be eliminated? Dean responded that he isn't sure. He thinks there will still be sketch.
- Updates – 8:20-8:35
 - CCRPC assistance /Forest Integrity project – Sean and Dean have not heard from our contact. Until we hear back, there's no real update.
 - Lamprey barrier project – Alternative to current treatment methods. There has been additional design work. Structure would be just downstream of the bridge. There are no plans for construction.
 - Don asked if there is an impact for other species. The report is that there is not a concern.
 - Gail asked if they have informed landowners.
 - Mike commented that the access path to do the work seems like it is too steep for erosion concerns, etc.
- Conservation Projects – 8:35-8:50
 - Executive Session as needed
- Other Business – 8:50-9:15
 - Mini Grant opportunity (VNRC?) – Small grant (\$200-600) Don asked if this would this help with the appraisal issue on the Ewing property? Gail responded that the appraisal is on hold at least for now. If it moves forward, this small grant could be helpful. Deadline for grant is roughly a month out. We might not know about the appraisal situation in enough time. Dean recommended that if it is VNRC, we should speak with Kate at VNRC to see if this would be a match for the program.

- Gail provided an update on the conversation she, Mike, and Bob had with Vermont Land Trust. The outcome is that the Ewing project is complicated. Newest discussion is that it's time to move on and to not conserve the property. The family may now sell the property and will put a home on the lot that was going to be conserved. Gail requested that Alan from VLT follows up with the appraiser to confirm it's on hold. Mike commented that we learned that the appraisal was 90% done, but is coming in months late. Discussed completing appraisal. Also discussed how VLT is questioning Bread & Butter Farms commitment to the Ewing/VLT project. Mike spoke with the Farm and they seem committed to the project still. According to Alan VLT is not focused on this project because they didn't think B&B would be able to pay for the land. DRB hearing for the updated project would be April 7th, but might happen on March 17th.
 - Mike recommends helping B&B and VLT connect since they haven't spoken in quite some time.
 - Scheduling of organizational meeting /election of officers – Consider speaking about this at our April meeting. We will push it to the next agenda.
 - Future sessions on amphibian crossings (will be delayed) and trails on town land (TBD) – Brought up at last night's Select Board meeting. Still discussing what to do with Pond Rd. Progress is still delayed because there hasn't been an environmental analysis or a cost/benefit analysis. Analysis should be complete by August.
 - Deavitt project post mortem – DRB agreed to their open space requests. Ability to use recreational vehicles, two farm buildings and the ability to put a well in this area. Another last minute question pertained to updating the open space agreement. Town attorneys caught this and pushed back. The Deavitt's lawyers are saying that you should be able to maintain the right to come back and try to update the agreement. What does this mean for the future of open space agreements? This could be a serious issue when it comes to conservation in Shelburne.
 - What is our solution? What can be productive?
 - Sean mentioned writing a letter to voice support for Open Space Agreements. Is this seen as activism.
 - Concern re: cyanobacteria in Shelburne Pond – Gail was notified by someone from Lewis Creek Foundation. Suggested that Kate Kelly provides the Select Board with a presentation about this issue.
 - EAB next steps (if any) – We told the Tree Committee that we would provide an outline of property boundaries of town natural areas and a list of the bordering property owners. We may potentially also engage with the Tree committee around inventorying ash trees around popular trails on town owned natural areas. Dean said he could do this, but closer to 3-4 weeks from now. Main interest was the location of the natural areas and if possible, the parcel maps as well. Dean will send initial map links.
- Adjourn – 9:15, or upon completion of discussion – Don motioned, Gail seconded. All in favor.
 - Parting comment – Mike mentioned that the vast majority of Town residents support open space. We should be strong advocates for this issue. Is that activism?