

THE WRITTEN MINUTES ARE A SYNOPSIS OF DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES ARE SUBJECT TO CORRECTION BY THE SHELBURNE NATURAL RESOURCES AND CONSERVATION COMMITTEE. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE COMMITTEE.

Natural Resources and Conservation Meeting

Draft Meeting Minutes
Wednesday, **April 11**, 2018
Meeting Room 2, Shelburne Town offices

Attendance:

Members Attending

Don Rendall, Peg Rosenau, Sean MacFaden, Kyle Bergeron, Peggy Day

Committee Staff attending

Dean Pierce

Guests/others attending

Jeremiah Ward, Chris Galipeau, David Farrington, Jennifer Farrington

Call to order:

The meeting was called to order by Don Rendall at 7:01 PM.

Approval of Agenda:

Don called for approval of the agenda. Changes to the agenda—including removing items relating to the Winooski Conservation District and Jon Cocina's report on fundraising, and moving election of officers to the penultimate item on the agenda—were discussed. Peggy Day moved approval of the agenda, as modified. Peg Rosenau seconded. The agenda was approved unanimously as modified.

Approval of Minutes:

Peggy Day moved approval of the meeting minutes for March, with Peg Rosenau seconding. There was no discussion. The minutes were approved.

Open to Public:

There were no public comments.

Development Review:

The Chair called for introductions prior to the discussion of individual projects. Attendees obliged.

Shelburnewood Mobile Home Park

Jeremiah Ward of the Cooperative Development Institute explained that he is working with the Board of the Shelburnewood Mobile Home Park Cooperative to explore ways the land east of the existing Park might be used for additional housing. When Tony Pomerleau provided financing to help park residents

buy the park, he reserved the right to take part in development on the vacant land, either as a partner with the Coop or independently. One concept for the land is creating a new mobile home park of fewer than 30 lots with access provided via Harrington Avenue. The Coop Board is asking the Shelburne Selectboard to consider sponsoring an application for a Community Development grant to create a plan for the area. The purpose of this presentation is to make members of the SNRCC aware of the request and initiative. Sean MacFaden commented that the SNRCC is likely to be supportive but added that the site is highly constrained. Any development of the land should be clustered to avoid impacts on sensitive areas. Jeremiah acknowledged the resource constraints, citing the Coop's involvement in the process to reclassify the LaPlatte River Marsh wetland complex. Peg Rosenau mentioned the importance of managing stormwater. Sean noted that subsurface soil conditions had caused the developers of the adjoining property (Dwyer/Harrington Village) to redesign parts of their project, and similar soil conditions could exist here. Discussion concluded and thanks were expressed. Jeremiah Ward departed the meeting.

Farrington

Chris Galipeau PE of Civil Engineering Associates provided a description of this proposed subdivision, which is located on Spear Street north of Shelburne Heights and south of the Town water tower. The project proposes to divide a 23 acre parcel into four pieces. Lot 1 (2.9 acres) would encompass an existing residence, lot 3 (2.7 acres) would encompass an existing business started by the occupant of the residence and now operated by the occupant's son, lot 4 (2.0 acres) would be a vacant residential building lot, and lot 2 (~16 acres) would be reserved for future development. Chris described the project as a "paper exercise" with very little physical disturbance aside from setting survey pins and the creation of the residential lot. The applicant is requesting that, although the lot is within the Sewer Service area, the future home be served by on site wastewater to avoid the challenges associated with installing sewer infrastructure that must cross the unnamed tributary of Munroe Brook. Don Rendall asked what is known about 'underground hydrology' on the site. Chris referenced information about soils found on the site but acknowledged the subsurface hydrology is not yet known. Sean MacFaden shared the view that the SNRCC would be concerned about what happens to lot 2 over the long term. Chris responded that there are no plans to develop lot 2 but when that changes plans would be reviewed as required. The owners intend to continue to treat the land respectfully. Discussion then turned to issues such as previous tree cutting and other activity on the site, the VAST trail, and the zoning status of the existing business. As discussion wound down, the group then considered the request for a letter from the committee per Section 600 of the Subdivision regulations. Peg Rosenau moved that the letter be issued indicating that the plans have been reviewed and are accepted as provided. Kyle Bergeron seconded. Being no further discussion, the motion was approved. The vice Chair drafted and executed the project review form, which was presented to staff for distribution. Chris Galipeau, Dave Farrington, and Jennifer Farrington departed the meeting.

Joy Barn expansion

Dean Pierce explained that the Town had received the previous day a notification regarding a "request for farm structure alternative setback." He shared the information with Gail Albert, who asked that the

Committee discuss the matter. As was noted by Dean, agricultural structures are not subject to local zoning permit but when an agricultural structure is proposed that does not meet setback requirements the approval must be granted by the Secretary of the Agency of Agriculture. The request in this case concerns an addition to a structure located 40 feet from the edge of highway right of way (ROW), where the proposed addition would be located as close as 32 feet from the ROW. Dean added the current setback requirement is 100 feet, however, in a matter of days zoning changes will go into effect allowing structures to be expanded so long as the expansion is not closer to the setback than is the existing structure. The Committee did not take a formal position on the matter. However, as multiple members questioned why the proposed addition could not meet the same setback as the existing structure, staff offered to share individual observations and information with the Agency of Agriculture.

Sterling/Coleman residential subdivision

Dean Pierce reported that the project developer is considering offering lot 4 for public dedication. The offer may take time to be finalized, however, as the developer is also exploring whether the land might be used as part of a transfer of development rights (TDR). In theory, the vehicle for such a transfer might include a non contiguous Planned Unit development.

Kwiniaska Consolidation project

Dean Pierce explained that a large amount of new material relating to the project had been received in the Planning and Zoning office a short time earlier. Although no motion was adopted the sense of the SNRCC is that David Marshall be asked to return and provide an update regarding the project.

Harris/Herzberger (AKA Farm Worker housing project)

In response to a question from a member regarding the status of the Farmworker housing project on Southern Acres Dean Pierce indicated that subdivision approval is no longer required. That is due to the fact that the property already consists of three unmerged lots. The southernmost lot does, however, require 'approval of access' by the Development Review Board; such approvals are typically issued with limited discussion. Dean also explained that a zoning permit application had been filed to build a residence on the northernmost lot. Issuance of the permit may be delayed, however, owing to the Water Department's denial of the proposed water connection.

Comprehensive Plan:

Dean Pierce noted that several members of the Planning Commission will be away and thus will not be meeting the following evening (the group not have a quorum). Thus, the earliest discussion of changes to the Natural Resources section of the Plan could take place at a Commission meeting is on April 26. Dean added that the agenda for the April 26 meeting will become clearer by April 17. Owing to the change in schedule, SNCC members would engage in limited discussion of the draft edits. Don Rendall described the edits as proposing significantly changes to the current plan. And the group agreed that Gail Albert's latest comments on the draft edits (which Dean received the evening before and had offered in Gail's absence to review with the group) will be forwarded to Don, who will integrate them into the document along with the other edits. Sean MacFaden expressed confidence in the work being

done by the small working group. Attention then turned to maps to be included in the Comprehensive Plan. Sean MacFaden and Dean have been examining this issue. Sean would like the group to consider supporting the creation of four maps, which are inspired in part by the maps included in the South Burlington Comprehensive Plan. The maps would include: 1) a maps depicting conserved lands of various types, 2) a map showing resource areas subject to regulatory controls (e.g., wetlands), 3) a map showing resource areas not protected by regulations, and 4) a map combining the prior maps in a manner that highlights the resource areas that are lacking protection. Sean noted that he believes such a series would respond to specific concerns raised by Kate Lalley. SNRCC responded favorably. Dean volunteered that it would be beneficial to share this list with the Planning Commissioner. The group agreed. Dean and Sean will continue to discuss and share information relating to the maps.

Stormwater Utility Advisory Committee:

In Susan Moegenburg's absence, Dean Pierce provided a brief update. He explained that at the SWAC's meeting on April 3, which he attended, there was discussion of the revised project schedule, draft stormwater ordinance, credit manual, and other issues. Sean MacFaden about aspects of the fee. Dean briefly described plans to charge residential properties a standard fee while non residential properties would pay a fee based on the amount of impervious surface on a property.

Conservation Projects:

There was no discussion under this item.

Other Business:

There was brief discussion of the process used to appoint members of committees and how it contrasts with procedures used in another state.

Annual Reorganization/Election of Chair and Vice Chair:

The group discussed comments previously made by Gail Albert reflecting her willingness to step aside should someone else want to lead the group. Members expressed satisfaction with the existing leadership, noting the passion Gail when she represents the SNRCC before the Selectboard, etc. Sean MacFaden commented on the significant time commitment Peggy Day made a motion nominating Gail Albert as Chair and Don Rendall as Vice Chair for the coming year. Peg Rosenau seconded. In discussing the motion the group recognized the need for members of the Committee to 'help carry the load'. One example of such is having members take responsibility for individual development projects. The motion was approved unanimously.

Adjournment:

On a motion by Peggy Day, seconded by Kyle Bergeron, and unanimous vote, the meeting was adjourned at 9:27 pm.