

DRAFT

Meeting Notes

Shelburne Natural Resources and Conservation Commission

7:00PM Wednesday November 8, 2023

Attendees: Gail, Don, Bob, Jon C, Fred, Sean, Chandler

Absent: Christine, Jon R

Guests: Chris Boget, Don Porter, Sarah Ray from SAFE

- 1) Don called the meeting to order at 7:01pm
- 2) Bob's turn as note taker from roster in alphabetical order by first name
- 3) Agenda: Committee reviewed and approved the agenda with Don's addition to discuss the Commission charter, bylaws and meeting schedule. Gail moved, Jon C 2nd, Passed.
- 4) October 11, 2023 meeting notes: Bob moved, Chandler 2nd, Jon C was absent and abstained,. Passed without change.
- 5) Public/Guest Comments: Don Porter, speaking from a financial perspective, stressed the importance of private philanthropy for Shelburne to realize its conservation objectives.
- 6) Don welcomed and introduced Chris Boget of the Lake Champlain Land Trust (LCLT) who gave an in depth presentation of LCLT's record, Shelburne work and methods:

—12,800 acres protected in 45 shoreline towns in VT and NY

- 17 islands conserved
- 23 shoreline miles conserved
- LCLT holds 70 easements
- All easements are permanent
- Worked with Shelburne Farms on a number of projects
- Conserved 25 acres on Shelburne Point
- Worked with the Town in early 2000's
- Worked on the Upper LaPlatte including 65 acres near Zen Center
- No minimum size requirement
- Didn't see any Arrowwood identified tracts they wouldn't help protect
- LCLT willing to administer a dedicated Shelburne conservation fund
- LCLT willing to hold Shelburne conservation easements
- Two above points help Town and SNRCC bypass burden of non-profit 501C3 requirements which are difficult for all volunteer groups without dedicated staff to manage; cited examples of Milton, Grand Isle and Colchester Land Trusts failing
- To get more conservation in Shelburne, it's just a matter of funding
- LCLT covers entire Champlain watershed
- Town funding is key to leveraging other public and private funding
- Local advocacy is also important
- Need to have sufficient funds to match fair market value offers from realtors and developers
- Pressure on landowners does not work
- Willing sellers only
- No target lists

Chris then offered to answer questions:

- Gail asked how to go about fundraising?
- A: If there is Town support for conservation, this provides leverage for VHCB and other funding
- Successful projects build momentum
- You fund raise for specific projects, not to a fund
- Don asked if a conservation project fund could accept property as well as money?

- A: Yes. You could accept a building, sell it and buy land or easements
- Don asked about subdividing part of a tract and conserving the rest?
- A: Yes, but you need to know what the donor wants and be very clear and reach agreement with donor on details
- Jon C asked about turning the energy in Shelburne for conservation into more than the usual \$50,000 annual allocation.
- Chandler pointed out that the Town Meeting ballot vote gets around 75% support, yet the select board and town manager set the amount to be voted on
- It was noted that the current SB and manager support conservation and the Shelburne Forward Together process shows wide support for conservation
- Sean spoke to the difficulty of forecasting a five year conservation need to meet the SB's long range capital budget request
- Gail noted that when the SB sees a surplus in the fund it doesn't see a need
- Chris suggested pulling together an estimate of the fair market value of the remaining open land without owners' names as a good start since the key is raising the funds
- Don Porter pointed out that putting funds aside year by year to buy land someday will never raise enough. If we need \$15+ million, we'll never get there at \$50,000 a year. We could make a down payment and ask the town to bond for the balance
- Chris responded that owners won't commit to an iffy vote and also noted that once a given tract of land is conserved fundraising tends to dry up

7) Don made motion to rescind the earlier vote recommending a \$60,000 allocation now to recommend one cent on the tax rate which would generate over \$170,000 annually. Gail 2nd. Sean and Fred mentioned the support for conservation on the part of the SB and town manager. Motion passed

8) Commission organizational matters:

—Chandler reported that his research with the town clerk produced no official signed copies of the SNRCC charter and suggested using the guidance from the state statute and the latest drafts (which Gail has shared in the past) as a template. All agreed.

—It was agreed to continue with the existing SNRCC membership and term dates on record with the Town Clerk: Sean and Chandler 4/21 to 4/24; Gail, Bob and Don 4/22 to 4/25; Jon C, Christine and Fred 4/23 to 4/26; and Jon R, who was recently appointed to fill a vacancy to 4/26.

—Don asked Gail to chair the required election of officers

—Gail made a motion, Fred 2nd to nominate: Chair—Don and Vice-chair—Chandler

—Jon C made a motion, Gail 2nd to nominate: Secretary/Clerk—Christine

—Chandler made a motion, Gail 2nd to nominate: Treasurer—Jon C

—The slate was elected unanimously

—Don and Chandler agreed to circulate draft bylaws and charter for review and comments prior to next SNRCC meeting on Dec. 13, 2023

9) Habitat Ecosystem Blocks regulation draft section

—Don circulated draft language and pointed out that close examination of waivers, exemptions and details were critical to the outcome of this draft regulatory re-write. He noted that much of the draft language was drawn from South Burlington's earlier effort

---Sean discussed the value of a hypothetical graphic case study of how the forest blocks regulations would affect a proposed project

—Gail raised the concern of multiple ownerships of forest blocks and especially wildlife corridors

—Don brought up concern for landowner rights need to be built in

—Chandler cautioned on the potential for lawsuits

—Sean asked about the status of the rural PUD 60% set asides in the process

- Don noted it was much higher in some towns
- Gail said that Place Sense wanted to limit the number of overlay zones
- Sean discussed getting a Habitat Connector (AKA Wildlife Corridor) map to complement the Forest Block (AKA Forest Habitat Block) language and using buffers rather than a single line. He also talked about the need to simplify the Arrowwood list
- Chandler agreed
- Jon C suggested the top 2-5% valued blocks and asked how far we needed to take this effort? Do we have enough to have a meaningful conversation with PS
- Members discussed doing a cover letter to PS and submit draft language and would take it up at the next meeting

10) Development applications: No action

11) Conservation update: Gail gave an update on conversations some SB members had with a landowner possibly interested in conservation and the SB members would contact us when appropriate.

12) Signs and banners: Fred offered to continue pursuing this effort

13) Lewis Creek Association as a meeting guest was suggested for early in 2024. Gail suggested hosting an education panel more publicly with VLT, LCLT, LCA and others would be beneficial.

14) Other business: It was decided to retain the second Wednesday monthly meeting date and to hold the fourth Wednesday in reserve as needed for development project review

15) Adjourn: Gail moved, Jon C 2nd. Motion approved at 9:12PM