

Burlington Conservation Board

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*Matt Moore, Chair
Will Flender, Vice Chair
Scott Mapes
Don Meals
Jeff Severson
Miles Waite
Damon Lane
Doug Morin
Zoe Richards*



Conservation Board Meeting Minutes

Monday, January 7, 2013 – 5:30 pm
Planning & Zoning Conference Room – City Hall Lower Level
149 Church Street

Attendance

- **Board Members:** Miles Waite (MW), Doug Morin (DFM), Damon Lane (DL), Jeff Severson (JS), Scott Mapes (SM), Don Meals (DM), Will Flender (WF), Zoe Richards (ZR)
- **Absent:** Matt Moore (MM)
- **Public:** Harris Roen (Planning Commission), Steve Guild, Joe Handy (110 Riverside Ave), Jens Hawkins-Hilke
- **Staff:** Scott Gustin (Planning & Zoning)

WF, Vice Chair, called the meeting to order at 5:35 p.m.

New board member, Zoe Richards, introduced herself.

Minutes

Minutes of December 5, 2012

MW noted on pg. 1, 1st paragraph under "Board Comment," last word of the last sentence should be "assurance" rather than "insurance."

A MOTION was made by JS and SECONDED by DL:

Accept the minutes of December 3 as corrected.

Vote: 4-0-3

Board Comment

SM said he noticed on a couple of construction projects with deep excavation there may have actually been opportunity for infiltration whereas applicants said it was not possible.

Public Comment

Harris Roen appeared to make the Board aware of the latest draft of the Downtown & Waterfront Plan. The Planning Commission will hold a hearing on the draft tomorrow evening. He is concerned about the Plan's proposal for buildings in Waterfront Park and Battery Park. MW said that he's heard people complain about some of the conceptual building drawings in the Plan. The conceptual nature of the drawings should be emphasized. DM asked what the concept buildings are for. Mr. Roen noted that they would be related to parks facilities. He felt that temporary tents would be adequate. He encouraged the Board to comment on the draft. JS asked that Mr. Roen let the Board know what the outcome was with the Planning Commission. DL said that if the drawings are not actually the plan, they should not be in the plan.

Open Space Subcommittee

WF said the group discussed ideas for work in Walter Poleman's UVM class. DWM will meet with the class next week. He also noted the discussion of the McKenzie property and Arms Grant property and the

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transfer of LWCF restrictions to Arms so that McKenzie could be used for agriculture. There was discussion of public process for this transfer.

Project Review

1. 13-0650CA/MA: 110 Riverside Ave (NAC-R, Ward 1) Brothers & Sisters Investment Group Proposed 57-unit residential building with associated underground parking

Steve Guild, Joe Handy, Shane Mullen, and Abbie Derry appeared on behalf of this item.

SM recused from review of this application.

Ms. Derry noted that 57 apartment units are proposed along with underground parking. The net increase in impervious surface is about 4,000 sf. There is a slope on the south side of the property. The building will cut into the slope somewhat but is mostly on the flat portion of the site. There are some intermittent streams that flow across the site that will be collected in proposed catch basins.

Shane Mullen overviewed the proposed stormwater management. A construction general permit from the state will be needed for erosion control. He's been in touch with Megan Moir to address stormwater management standards. Offsite runoff from uphill will enter the proposed system through proposed catch basins and will continue onto a stabilized bank above the Winooski River. Onsite stormwater will be collected and sent through a water quality treatment unit and then into additional underground storage chambers for further treatment and retention prior to discharge. A small rain garden is also proposed along Riverside Avenue at the eastern end of the site. DM asked about the rain garden. Will there be any special maintenance provision for the rain garden so that it continues to function properly? Ms. Derry asked if the city had dealt with this before. MW said that it could be part of the annual stormwater maintenance plan.

JS mentioned that that area of Riverside Ave has a history of slope failure on both sides of the road. Has any slope stability analysis been done? Would there be any issue with discharge from a large storm event? The outfall should be armored for more than a 10 year storm event. Mr. Mullen said that the pipe is angled to discharge onto the slope itself. It does not project out.

MW, do you anticipate flow coming out of the curtain drain all year? Ms. Derry said that they anticipate so. The water will be diverted from the central stormwater management system. Additional volume will not be added to the system. MW, is active de-watering needed for your underground parking? Ms. Derry said that the foundation drains will capture the ground water. It will not seep into the garage. MW, has the quality of water been tested? The subject property and abutting properties have onsite contamination. Ms. Derry said water quality testing of the runoff has not been done.

Steve Guild said that Wilcox & Barton will handle any brownfields issues according to VT DEC standards. ZR said that there is a history of contamination. MW noted a list of contaminants found by Heindel & Noyes in 1994.

DM questioned the letter from Wilcox & Barton. Contamination has already been found. Steve Guild said they are looking to go through the city process before dealing with VT DEC. Joe Handy noted that asbestos is also a concern that will be dealt with per DEC. MW said you don't want to be surprised during construction. Do the analysis now to discover any hotspots that might need to be avoided. DM said the Wilcox & Barton letter seemed to be reactive. If you have a real PCE problem, you want to know now. Vapors can come into the building. A good phase 2 assessment should be done.

JS, regarding the landfill, is that uphill? MW replied that its lateral from the site.

A MOTION was made by MW and SECONDED by DM.

Recommend approval of the project with a condition that a phase 2 environmental site assessment be done.

Discussion:

JS said this should be a recommendation, not just something to consider.

Vote: 7-0-1

Update & Discussion

1. Statewide Conservation Planning

Discussion with Jens Hawkins-Hilke, VT Fish & Wildlife

Jens Hawkins-Hilke appeared on behalf of this item.

Jens Hawkins-Hilke said his job is to help towns with their conservation planning. His greatest complaint about municipal land use planning is that none of the subject natural resources are confined to the municipal scale. The net effect at the statewide level is chaos. He helps towns identify ecological patterns but also individual hotspots. His message tonight is to get everybody talking across boundaries to look at the bigger picture. Sprawl and habitat fragmentation are the primary factors in habitat degradation. Climate change is another factor. We should consider the number of environmental refugees that may migrate to Vermont following environmental disasters affecting major coastal or desert cities. Most of them will not migrate to established city and village centers. He encouraged the Board to engage in environmental outreach and education, particularly to policy making bodies such as the Planning Commission.

JS said that in the larger Burlington planning processes, issues like density, building heights, and infill are addressed. This Board comments on these issues during the plan development process and during application reviews. Our focus is on Burlington rather than on a regional level.

DM, we'd need to have a consensus on what the message should be before we were to commence with outreach and education. He personally has a hard time pushing for greater density within Burlington if there is no concurrent conservation of land in outlying areas. Mr. Hawkins-Hilke agreed. SM, we were supposed to have a state land use plan when Act 250 was adopted. That never happened. Natural resources are not limited by municipal boundaries but our decisions are. Mr. Hawkins-Hilke noted the coordination provided by the Regional Planning Commissions. DM noted that one of the Regional Planning Commissions' bit of authority relates to the ability to accept or reject a municipal plan. Mr. Hawkins-Hilke noted that 50% of Burlington PD lives in Franklin County. The climate impacts occur on getting into the city, not within it. Is there a way to limit development in the outlying areas while increasing it within the city? The RPCs afford some ability to do this.

Mr. Hawkins-Hilke noted that several towns in the Mad River Valley worked together in ecological and land use mapping. It seems to make sense for Burlington to rally around climate change. MW said that this is an issue of growing importance within the city. SG noted that this Board weighed in during the development of the City's Climate Action Plan. Decisions on execution of the plan are under way. DL said we've continued to see many more multi-unit housing proposals within city limits.

MW said it would be helpful to know what actions are being taken relative to implementation of the Climate Action Plan.

SM, some 70% of our stormwater goes through a combined sewer system that was designed in the 1970s. We continue to see overflow events wherein the system is overloaded.

Mr. Hawkins-Hilke noted habitat connectivity. Burlington is not part of the regional connectivity, but within the city, there are areas of connectivity. He noted the VTtrans practice of lining their highway ROWs with fences. These ROWs provide much of the connectivity amongst habitat areas. The fences adversely impact wildlife using these corridors. JS asked if there are examples of removing the fences. Mr. Hawkins-Hilke said no, but there are efforts underway to put cuts in guard rails for wildlife movement. SM noted that several drainage ways provide habitat connections. When development is proposed, do we

want the density or protect the connections? Mr. Hawkins-Hilke said we need to consider connectivity for small animals within Burlington. ZR noted that Burlington is lucky insofar that many of its best habitat areas cannot be developed.

JS said that connections in key places, like between the Intervale and the lake, may require removal of development because much of the city built out. There are a couple of key points where the distance separating habitats is not great but development divides them. Mr. Hawkins-Hilke said we should try to preserve the connectivity that exists rather than try to create new connections. JS noted several culverts under the Beltway that were not properly installed. When they are replaced, perhaps they could be modified to function properly and to provide habitat connectivity. ZR said the focus should not be entirely on the movement of terrestrial animals. There are lots of other ecological considerations insofar as connectivity is concerned.

Mr. Hawkins-Hilke noted that his services are free to municipalities. He'd be interested in working with Burlington.

Adjournment

The meeting adjourned at 7:15 PM.