

Burlington Conservation Board

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Scott Mapes
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Jeff Severson
Miles Waite
Damon Lane
Zoe Richards
Stephanie Young*



Conservation Board Meeting Minutes

Monday, October 3, 2016 – 5:30 pm
Planning & Zoning Conference Room – City Hall Lower Level
149 Church Street

Attendance

- **Board Members:** Zoe Richards (ZR), Matt Moore (MM), Jeff Severson (JS), Will Flender (WF), Damon Lane (DL), Miles Waite (MW)
- **Absent:** Scott Mapes (SM), Stephanie Young (SY), Don Meals (DM)
- **Public:** Ed & Frank von Turkovich, Martha Lang, Bill Hickok, Bob & Susan Butani, Brenda Orr, Andrew Mills (80 Colchester Ave)
- **Staff:** Scott Gustin (Planning & Zoning) Rob Green (Public Works)

MM, Chair, called the meeting to order at 5:30 p.m.

Minutes

September 12, 2016 meeting minutes

A MOTION was made by DL and SECONDED by JS:

Accept the September 12 meeting minutes as written.

Vote: 4-0-1

Board Comment

SG noted the unaudited current numbers for BCLF provided by Jesse Bridges. The fund balance at the end of FY 16 is \$573,046.71. Combined with the remaining budgeted amount in FY 17, the current available funds are \$673,144.71.

DL noted the Walk/Bike plan draft. It contains recommendations for a number of small beneficial changes for bikers and pedestrians.

Public Comment

None.

Open Space Subcommittee

No meeting today.

Project Review

1. 16-0163CU; 702 Lake St (UR, Ward 4N) City of Burlington

Review of winter snow storage for the city.

Rob Green, DPW appeared on behalf of this application.

Rob Green overviewed the application. There are no changes to the proposal this year. He mentioned the soil remediation work associated with the skate park. He pointed out a retention pond onsite. Every spring, trash is removed after all of the snow melts.

The programs and services of the Dept. of Planning and Zoning are accessible to people with disabilities. For accessibility information call 865-7188 (865-7142 TTY).

JS, is there any runoff leaving the site? Mr. Green, it's mostly captured in the pond. Maybe some runoff from the access road.

MW, has the grade been changed? Mr. Green, it's been raised uniformly. MW, is there a land use restriction? Mr. Green, it can't be developed. The whole area contained petroleum tanks. It's used 3 months out of the year. No private users can use the site for snow storage. MW, storage of snow here shouldn't further damage the site.

JS, is there an issue with runoff bringing contaminants to the lake? MW does not think so. Water will collect in the pond. The new bike path will have its own drainage system. There's no direct pathway to the lake.

DL, in the spring some of the Conservation Board may go onsite to look at the conditions.

A MOTION was made by MW and seconded by DL:

Recommend approval of the project for snow storage for another 2 years.

Discussion: JS, formalize that it's DPW and the Marketplace Commission. Mr. Green said that's stated in the application.

Vote: 6-0-0

2. 17-0388CA/MA; 80 Colchester Ave (Ward 1E, I) Eastern Development Corporation
Construct 75-unit residential building and related parking and site improvements

Ed and Frank von Turkovich and Andrew Mills appeared on behalf of this application.

MW noted he did some consulting for Nan Reid relative to this project but not for the applicant. Frank von Turkovich said she still owns the property – he has an option on it. WF suggested that MW sit this one out. JS, it would be cleanest for MW not to partake. MW agreed, he will recuse.

Frank von Turkovich overviewed the current conditions and the general layout of the proposed construction. The project is proposed as a PUD with multiple properties and owners. The plan is to construct 2 buildings with a 1st floor connector between them. Surface and under-building parking will be provided. The building will be housing. He noted the uses within the existing peripheral buildings. He also noted that most traffic will enter/exit at the traffic light.

Andrew Mills noted an existing wetland at the bottom of the ravine. The buffer zone is depicted on the site plan. Water presently discharges into it, and incision is taking place. Bill Hickok asked if there's an existing drainage pipe discharging here. Mr. Mills said there may be, but no one has yet located the outlet. He also said that UVM's contributing drainage to this pipe has been reduced in recent years. The project plans call for intercepting this pipe and connecting to the proposed stormwater infrastructure.

ZR, what are the site conditions now? Andrew Mills said that not much fill is proposed. The site is relatively flat with a steep ravine down to the wetland. WF, what are the soils like? Mr. Mills, sand over silty sand over sand. Proposed stormwater management will send everything they can to an infiltration gallery. They intend to push through the silty sand so that infiltration can work. WF, what will happen to stormwater from the west? Mr. Mills, his is proposing to reroute it into the proposed system. WF, will roof runoff be infiltrated? Mr. Mills, yes.

JS, do you have an application in to the state wetland office? Mr. Mills, there are no applications to any state agency yet. JS, if the state prevents rip rap, what will be done to prevent erosion? Mr. Mills, we will do the best we can to limit erosion out of the wetland buffer.

ZR, why is the infiltration chamber located as proposed? Mr. Mills, site constraints like the ravine and general slope of the site.

Bill Hickok, what is the state of the "retaining wall" along the ravine? Mr. Mills expects that it will become more stable than present conditions.

Frank von Turkovich, we checked out the existing erosion with DPW's stormwater team. A jagged deep cut is happening. He'd like to be able to do something to stabilize it. The ravine is a nice asset to the site. He'd like to clean it up and stabilize the erosion.

WF, what's on the property to the west? Mr. von Turkovich, Mater Christi.

MM, where does drainage go after this site? Mr. Mills, it heads towards Riverside Avenue. MM, is there any recreational use of the ravine? Mr. von Turkovich, there are informal trails through the area. No formal recreational use is proposed.

JS noted SM's emailed comments. Mr. Mills responded relative to site balance. In this case, the stormwater management will be to the full standard of the VSMM, not just a "best fix."

WF, what will be done with parking lot contaminants in runoff? Mr. Mills, it should be captured and not directed into the wetland.

Mr. Mills, as to SM's 2nd point, yes, a state general permit will be needed. He does not think the 3-acre threshold will be met. If for some reason this trigger is met, the project will comply with the standards.

WF, has the city's stormwater program reviewed this yet? Mr. Mills, yes, he has met with them. WF, what's the new impervious surface? Mr. Mills, about ¾ acre. The total acreage is just above 3.5 acres.

JS, with the drop into the ravine, he can appreciate that existing erosion could get worse if not addressed. How is the volume of discharge calculated? Mr. Mills, we have data provided from Krebs & Lansing (for UVM).

WF, will UVM continue to disconnect from this pipe? Mr. Mills, assumes so.

JS would be concerned about not stabilizing the discharge point. Mr. Mills, we will be prepared with alternatives if the state precludes the present design. JS, wants to know for sure what will be proposed before signing off.

Mr. Mills, we are proposing to fix the erosion and are trying to work with state wetlands and stormwater folks. The new pipe discharges at the edge of the buffer but the existing one within it and will be replaced.

WF, what's the plan for bike parking? Mr. Mills, enclosed long-term spaces will be provided within the garage.

MM, what about the bioretention islands? Mr. Mills, they are proposed as a pre-treatment practice here. They will provide a high level of protection for the infiltration galleries. MM, will anything infiltrate in the bioretention areas? Mr. Mills, it's possible, but there would need to be additional pre-treatment. MM, will you explain the infiltration gallery? Mr. Mills, it's fairly standard. The product is called StormTech. Its buried arched half-pipes over crushed gravel with native soil below. We are shooting for 15" per hour capacity. The entire 1-year event can be infiltrated.

DL, if no pipe or rip rap is allowed within the buffer, we want to know what happens. JS, I would want the project to come back to BCB.

Public Comment:

Bob Butani is concerned that the soil is contaminated. Has a phase 1 ESA occurred? At one time, a couple thousand truckloads of fill were placed onsite. The application indicates that soil will be kept onsite. He'll hire his own engineer to review the project plans. He pointed out the infiltration gallery will be close to his home. He'd like to have copies of the application plans.

Brenda Orr has lived here since 1972. She urged the Conservation Board to look at the site before making a decision. The sandy soils are erosive, including under her porch. Fill came from a variety of sources over a number of years. All of the development is proposed over fill. The comment that most of the site is paved is not true. Most of it is open and vegetated. She stated that there is a brook at the bottom of the ravine. Ms. Orr asked where excavated soil will go. Mr. Mills said it will be kept onsite or trucked to an approved facility.

WF asked the applicant to address soil contaminants. Mr. Mills said a phase 1 ESA has not been done yet. WF, the phase 1 will tell the applicant if a phase 2 is needed or not. MM, no soil testing has been done. Mr. Mills, just the initial soil borings have been done. JS, what were the borings done for? Mr. Mills, to determine soil types.

MM noted that BCB is advisory to DRB. As for soil contamination, we cannot make judgements or determinations as to whether contamination is real or not.

Brenda Orr said that the wetland is not depicted on the city's natural resource overlay. The area is large with mature trees, deer, and other wildlife. She's skeptical about the proposed limits of woodland disturbance.

JS, are phase 2 borings proposed or has that yet to be determined? If there are contaminated soils, how will you plan to address them with the building to ensure the contaminants do not leave the site? Mr. Mills, would leave foundation aspects to the structural engineers. Soil contaminants would be addressed as best they could. Proper disposal is key. He assumes a phase 1 ESA will be done soon.

Bill Hickok noted concerns with soil contaminants and also with the adequacy of the proposed stormwater management system.

WF, we have full size plans here at Planning & Zoning.

Martha Lang totally supports the project. This project appears to meet the requirements of the Conservation Board. This property was filled from the hospital's renaissance project.

JS, even though the wetland is not mapped, its close proximity to a stream meets the state's presumption of a class 2. It's up to the state wetlands office to require a permit or not.

Bill Hickok mentioned the combined sewer system. Mr. Mills is not sure if the line is combined or not along Colchester Ave.

JS has a concern with the proposed tree line at the top of the steep slope. The trees at the top will have more potential to uproot. The edge of woods should be set back away from the edge of the steep slope. As for soil contaminants, a phase 1 would be helpful to know the basics. How will the weight of a building affect contaminants?

A MOTION was made by WF and SECONDED by DL:

Table to November to address outstanding concerns in the foregoing minutes.

Discussion:

JS, we should prepare list of questions and forward to the applicant by next week.

Vote: 5-0-1

Update & Discussion

1. Invasive species – draft permit conditions

WF put together standard condition language but did not bring it tonight. He'll have it finalized for next meeting.

Adjournment

The meeting adjourned at 7:37 PM.