

Burlington Conservation Board

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Conservation Board Meeting Minutes

Monday, March 1, 2021 – 5:30 pm
Remote Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Miles Waite (MW), Rebecca Roman (RR), Don Meals (DM), Hannah Brislin (HB), Jules Lees (JL), Ryan Crehan (RC)
- **Absent:** Tori Hellwig (TH), Matt Moore (MM)
- **Public:** Steve Whitman (Open Space Addendum) Rowan Ciganoni, Patrick Dunseith (Intervale Deer Management)
- **Staff:** Scott Gustin (Permitting & Inspections), Dan Cahill (Parks & Recreation)

MW, Chair, called the meeting to order at 5:37 p.m.

Minutes

A MOTION was made by ZR and SECONDED by HB:

Approve the meeting minutes of February 1, 2021 as written.

Vote: 5-0-1, motion carried. (No RC yet)

Board Comment

SG noted that the lakeshore amendment cleared public hearing by the Planning Commission recently. It's scheduled for a March 9 first read by the City Council. After that, it will likely move on to the Council's ordinance committee.

SG mentioned that he and Meagan Tuttle are working with the UVM NR 206 class to work on a shoreline management manual for Burlington. That should be complete later this coming spring.

RC appeared at 5:40

MW noted the possibility for naturalizing part of the Urban Reserve's sheet pile shoreline. Basically, the northern half could possibly be removed. The southern half is needed for deep water boat access. **We should consider this as a future agenda item for discussion.**

RC said that it's a project that he's pursuing through his work with US F&W. MW suggested sharing with the NR 206 class. RC said 1997 urban reserve plan contemplates similar action.

SG asked about soil contamination concerns for migration into the lake if the sheet piling is removed. MW said that assessment of soils nearby indicate that contaminant migration into the lake is unlikely.

Public Comment

None.

Open Space Subcommittee

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1. Open Space Addendum / Discussion with Resilience Planning & Design

Steve Whitman appeared on behalf of this item.

Steve Whitman overviewed the addendum meetings with various boards and commissions thus far. They will be useful in framing the Open Space summit meeting later this month on March 29. It is scheduled for 7:00 PM and will be a virtual summit. We've worked on flyers and other informational material. The summit structure will include a welcome (by BCB member), overview, interactive poll about nature-based solutions, and overview of the topic that's similar to those provided to BCB thus far. The summit will help us solicit ideas and input and what should be pursued moving forward.

HB asked if we have ideas of who to invite and how to advertise the summit event. Mr. Whitman said that we are relying on relational organizing / word of mouth. HB said that relational organizing is one of the best forms of outreach. She asked if there will be folks to host the breakout rooms for the discussion groups during the summit.

ZR thanked HB for helping them cast a wider net for participation in the summit.

Dan Cahill noted that the "Media Factory" will help facilitate event.

HB suggested building the meeting breakout rooms the day before. Ask people to use their real names. HB suggested that people pre-register.

RR suggested having someone familiar with NBS in each break-out room.

Update & Discussion

1. Slope stability (existing standards)

MW reviewed the staff memo as to existing zoning standards related to steep slopes. He recommends that a section of the CDO address slope stability and the potential for slope failure and the need for geotechnical analysis.

SG noted that that the CDO could establish thresholds to require a geotechnical analysis pre-development that finds development could occur without inducing slope failure. We could use the existing thresholds of 30% and/or 15% as the threshold. Avoid establishing technical criteria in the CDO.

DM asked if slope failure is the only focus here. MW said that the focus really is on determining whether a proposed development could be done without slope failure.

ZR asked if a geotechnical analysis would include the necessary information, i.e. like knowing there's fill over buried cars. MW felt that, yes, a geotechnical analysis would determine whether fill soils are encountered.

RC said he's unsure how to rectify the disparity wherein expensive development might succeed whereas lower budget development may not. Also, what about provision to require retention of vegetation on the slope?

JL, is it possible to account for proximity to steep slopes, like along Colchester Ave? MW said that there may be a possibility for a setback. SG suggested that something like development within a certain distance of a steep slope needs a geo tech analysis.

MW said he'd work with SG to put together an initial draft.

2.311 North Avenue draft management plan & consideration of future trail network

Dan Cahill provided background and history of the city's acquisition of the land. This plan is intended to serve as a template for future land management plans for Burlington. He also noted the draft plan drawings for the path link to the waterfront bike path. He is looking for comment from Board members as to the draft plan and the project plans.

HB asked about the naming portion of the draft plan. Mr. Cahill said that the park name has been decided but not yet unveiled. HB mentioned a recent standard passed by the State of Vermont that requires the Abenaki names of state parks on park signs.

ZR said that VHCB was very pleased with the management plan.

MW, does it make sense to hold onto the draft plan until the park name is announced? Mr. Cahill said that he's looking to allow for as much community engagement in the management plan as possible through the spring.

RC, how does the management plan interface with the draft path plans? Mr. Cahill responded that the timeline for the two initially lined up; however, it's looking more likely that the plan will be wrapped up this year, and the path will be constructed next year. We want to have a public process that will be open and informative. Construction of the path will bring about changes to that landscape.

RR pointed out that the path must be ADA accessible, and that affected design.

Mr. Cahill overviewed the proposed path layout and the preservation of mature oak trees along it. Some mature cottonwoods will be removed. There will be opportunity for some interesting revegetation along the path.

MW, is there concern about people taking short cuts along the existing ravine to get to Texaco Beach? Mr. Cahill pointed out a pedestrian staircase close to the beach.

Mr. Cahill pointed out the slope grading options paralleling the proposed path. MW said he's ok with a more aggressive 3:1 slope. The existing slope is similar. RC asked if the area would be largely undisturbed with the steeper slope. Mr. Cahill said that he had a similar thought. With the amount of machinery that will be involved with the project, nothing will be left undisturbed.

MW asked about the green lines on the plan. Mr. Cahill said that it denotes some form of stormwater apparatus.

ZR asked about the path from the stone cottage. Will it stay mostly the same? Mr. Cahill said it will be changed. The trail will go around an expanded community garden.

RC, big thumbs up on opening up the cemetery for access. It's like an arboretum.

3. Intervale Deer Management

MW said there's more work to be done before the Board can be more fully involved in this item. The Board should decide whether to participate in this item and, if so, in what form?

JL noted the Ethan Allen Homestead is right next to the Intervale and their Abenaki component. Maybe open up a hunting opportunity for indigenous people first.

ZR said that deer impacts are obvious in the Intervale. The city encourages farming, but farmers in the Intervale cannot obtain a depredation permit to deal with deer. There are many ways to address the issue and many different groups with different interests. What work needs to be done

and who's going to do it? If the hunt is only on the Intervale lands, will that just push deer elsewhere? ZR mentioned a "community deer manager" guide put together by TNC.

DM said he thinks the Board does have a role. There's a big need for public education to define the problem. There is a major opportunity for backlash, too. The Board could sponsor a seminar or something similar to define and explain the problem.

MW, a next step could be talking about the community based deer management concept. This boils down to relaxing a city ordinance in a certain area for a period of time in season.

HB, the community discussion needs to be done wisely – after a couple of months of planning and outlining.

Rowan Ciganoni said he was just listening in.

Patrick Dunseith said that he'll continue to show up and continue to advocate moving forward with this issue. He thinks folks are ready to engage with a really nuanced concept like this. We're dealing with complex issues, including climate change. This matter ties in with so many other issues that are important to the community.

RC, with a topic like this, we know the BCB supports pursuing it. Someone needs to take the lead in order to make this happen. He encouraged Patrick, possibly in partnership with VT F&W, to come up with a plan for outreach and how we can get to the end result. Mr. Dunseith said that he most needs a venue for the conversations. He and the other parties are ready to have the discussion.

MW agreed that the Board can't be the driver but we can be a partner. Mr. Cahill said that the city could possibly have a role, with other support, in pulling together some sort of project to address the matter.

MW asked if the Intervale Center has approached the press as to advertising the deer problem.

Mr. Dunseith said that he sees value in pushing a process for community engagement, but he cannot create that process on his own. We have a lot of folks who are ready to talk about the matter. MW said that the WVPD needs to be involved in this as well.

RR said that she hears that the BCB do not have the time or resources to drive this item. It would be very helpful if Mr. Dunseith could put together a timeline for outreach and ways BCB can help, we could then provide more assistance in terms of facilitating and hosting a public forum.

ZR, there is a profound question as to whether this is the Intervale Center's job. She suggested looking at TNC's community deer management document as a first step.

A MOTION was made by RR and SECONDED by HB:

Review the TNC community deer management document.

Vote: 7-0-0

Mr. Cahill, when we review the document, it's not just about hunting. It's more holistic than that.

Adjournment

The meeting adjourned at 7:43 PM.