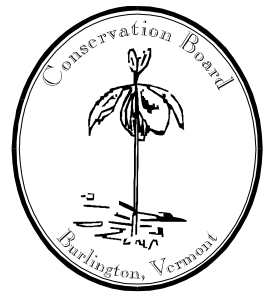


Burlington Conservation Board

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Zoe Richards, Chair
Rebecca Roman
Don Meals
Ryan Crehan
Hannah Brislin
Miles Waite
Caryn Connolly
Elizabeth Cunningham, Student



Conservation Board Meeting Minutes

Monday, February 7, 2022 – 5:30 pm
Remote Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Miles Waite (MW), Hannah Brislin (HB), Elizabeth Cunningham (EC), Caryn Connolly (CC), Don Meals (DM), Rebecca Roman (RR)
- **Absent:** Ryan Crehan (RC)
- **Public:** Walter Poleman,
- **Staff:** Scott Gustin (Permitting & Inspections), Dan Cahill, Cindi Wight (Parks & Rec)

ZR, Chair, called the meeting to order at 5:31 p.m.

Minutes

A MOTION was made by MW and SECONDED by DM:

Adopt the minutes of January 3 as written.

Vote: 6-0-0, motion carried.

Board Comment

ZR mentioned the February 22 City Council meeting for the Open Space Addendum. An associated field trip will take place in the spring or summer. She mentioned the final draft was just recently completed including the implementation matrix.

HB mentioned that she's an advocacy organizer in a controversial field that can attract aggressive opposition. Sometimes folks will show up to meetings to harass. She's concerned that it could happen and is willing to resign if board members are uncomfortable. Reach out to SG if you are concerned.

SG noted that there is one pending BCB member applicant. February 16 is the deadline for the current round of applicants. He also noted the steep slopes zoning amendment has cleared PC Ordinance Committee and is awaiting review by the full Planning Commission.

MW, as to the public comment in the Board's packet, have things changed about access to Rock Point? ZR, this doesn't pertain to Rock Point per se. She noted the potential lot line adjustment between Killarney Beach and Elks.

Public Comment

(EC joined meeting at 5:50.)

Walter Poleman (read a letter from Marla Emery) concerning the Elks beach that may be purchased by Killarney Beach homeowners (KDI). She is concerned that purchase will adversely impact the ecology of

the beach and access to it. Last summer, the association graded and raked the beach adversely impacting the onsite class 2 wetlands. She suggests placing the beach under conservation easement.

ZR asked if Board members have questions or comments. DM said he'd support informing KDI about Burlington's regulations. He's not sure BCB has the power or authority to designate anything as conservation land. In similar instances, we've encouraged application to the Legacy Fund. MW noted concern about mismanagement/misuse of the parcel but also concern about public access. As he recalls, its possible to go from the bike path onto Rock Point without going through Elks. He is not sure this beach is critical for access to the thrust fault. CC, this isn't something we should be dealing with. Its more of a legal issue around access based on historic use of the beach.

Cindi Wight said that access wasn't necessarily an issue. She understands that KDI is not looking to stop future UVM student access to Rock Point across the beach. For the city, it would be good to have an MOU in place for access.

RR, the BCB doesn't have much it can do to support this right now. Folks can look into an MOU or access easement. Notify DEC again about wetland impacts. Sher noted LCLT may be able to hold an easement for conservation and access.

ZR said Elks beach contains class 2 wetland. We can identify areas where we have some agency to influence, from low-mow to steep slopes standards. Is there a way for the Board to work with UVM students to articulate the importance of the area for public information? As for the requests to oppose the lot line adjustment, she pointed out that raking the wetlands is not allowed regardless of ownership.

Project Review

1. ZP-22-12; 48 Sunset Cliff Rd (Ward 4N, RL-W) Mort & Nurit Zachter Demolition of existing residence and proposed seawall reconstruction

Michael Koch, Jack Milbank, Jeff Kamuda, Nate Goldman appeared on behalf of this application.

Michael Koch overviewed the project. He noted the seawall construction. A biotechnical solution is not feasible here given high water, wave conditions, and the surface ledge. A seawall is proposed for in-kind replacement that will be keyed into neighboring seawalls and the ledge onsite. A biotechnical solution would be further impacted by deflection from the neighboring seawalls. The existing seawall failed due to failed drainage behind the wall. The new wall will be backfilled with crushed stone and geotextile fabric. He noted that the proposed low-mow zone exceeds the minimum required area.

CC, is there any erosion behind the seawall? Mr. Koch, no.

DM, have you done analysis of bio-technical questions? Jack Milbank, we don't have calculations, just years of experience. The property is located in a saddle in the lakeshore bedrock. An armored toe is necessary for any solution, even biotechnical. The property faces the broad lake with 10-11 miles of fetch for wave action to build. Flood events exacerbate wave effect. We have tried using large boulders, but in this case, the ledge is above grade. The wall can be pinned into the ledge behind it. The green space above the wall will be restored with the low-mow area. This will be a combination of engineering and bioengineering. DM, why is a complete tear down proposed? Jeff Kamuda responded that the assessment of the building showed presence of asbestos and failing foundations. Massive renovation or replacement would be needed. With replacement, the new home will be pulled away from the lakeshore. DM, will DRB action on the demo prejudice future review? SG said that the replacement home will require Board review. Given the city's housing replacement standard that would be triggered within a year of demo, we will likely see the home application within a few months.

MW asked about wastewater. Mr. Milbank said it will be served with municipal service. Nate Goldman, as to DM's point, we're moving ahead with this part in order to start the seawall work before the water level rises in the spring.

ZR asked if the applicants have looked at the new VT Bioengineering manual. Mr. Milbank said he and Mr. Koch are both certified in natural shoreline stabilization. The manual provides guidelines that typically require engineering. Not all of the guidelines are applicable in all situations.

ZR, she knows that RC is interested in more naturalized lakeshore stabilization methods. Perhaps this is something we could hear from an expert about at a future meeting. DM agrees. He's not sure that bioengineering won't work here. He likened it to pervious pavers in the past vs. current conditions.

CC, its important to look at the specific site and situation to come up with the best solution. Did you consider all the other options, and decide that this is the best solution for this site?

MW remembered news footage of 6' waves crashing into the shore during the 2011 flooding. ZR, wants us to open our view of other options that might endure.

CC, can plantings be located in front of the wall? What about some rip rap in front of the wall? Mr. Millbank said that's still armoring the slope. He noted we can have a 3:1 slope behind the wall. He noted that gabions cannot be anchored into the ledge. He noted ice push from the lake as well.

A MOTION was made by MW and SECONDED by HB:

Approve seawall and demo application with the understanding will review the new home construction application.

Vote:5-0-1 (DM abstained, concerned with another teardown and seawall on the lake), motion carried.

Update & Discussion

- 1. BED Discussion in regards to the Open Space Addendum**
Discussion with BED staff as to climate strategies collaboration

Deferred until a future meeting.

Adjournment

6:39 PM.