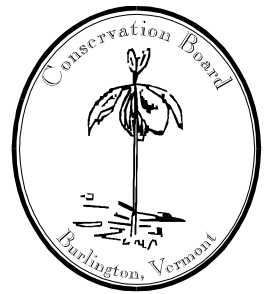


Burlington Conservation Board

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



Conservation Board Meeting Minutes

Monday, August 1, 2022 – 5:30 pm
Remote & In Person Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Miles Waite (MW), Caryn Connolly (CC), Don Meals (DM), Kyle Tansley (KT), Hannah Brislin (HB), Lina Swislocki (LS), Rebecca Roman (RR), Ryan Crehan (RC)
- **Absent:** Elizabeth Cunningham (EC)
- **Public:** Tom Leboeuf (136 Sunset Cliff), Patrick Dunseith (Intervale Center)
- **Staff:** Scott Gustin (Permitting & Inspections)

ZR, Chair, called the meeting to order at 5:32 p.m.

Minutes

A MOTION was made by DM and SECONDED by RC:

Adopt the minutes of August 1, 2022 as written.

Vote: 7-0-0, motion carried.

Board Comment

RR noted the annual meeting of the Association of VT Conservation Commissions coming up October 15.

SG noted VNRC annual meeting at HULA on September 22 and presentation of Zoe's Art Gibbs award.

ZR mentioned an upcoming field trip to check out the Elks' beach on September 30. She also mentioned the official opening of the River Cove property. It was rescheduled from tomorrow to September 27th. She noted that it would be nice to have the BCLF logo on the sign (and other conserved properties).

There will be an October 17 field trip with the City Council to check nature based climate solutions in the city. Champlain Elementary school will be on the docket.

(MW appeared)

Public Comment

None.

Project Review

1. **ZP-22-403; 136 Sunset Cliff Rd (Ward 4N, RL-W) William de Vos / 136 Sunset Cliff Camp, LLC**
Tree clearing within riparian & littoral conservation zone

The programs and services of the Dept. of Permitting & Inspections are accessible to people with disabilities. For accessibility information call 865-7188.

Tom Leboeuf appeared following discussion of this item.

DM said all the trees to be removed were flagged for the site visit last week. Several leaning trees were straightening out at the top, indicating they have been leaning for some time. Perhaps 2/3 of the trees were perilously close to the house. Several trees were fairly small or broken. What needs to be addressed is how the threshold of 25% permissible clearing applies to this application.

HB said this property has been in the family for 70 years. The building that was originally there was in place in the 1950's. They are seeking to remove some of the trees based on the arborist recommendation. DM said he hopes new construction would not be permitted this close to the lake.

RC said that the closest trees are where the new building is closer to the shore than the prior building. The new building is taller too. DM said the foundation needed to sit in a "bath tub" within the underlying bedrock.

CC said the old building was a camp. The new one is year-round. HB said that camps can be pretty shoddy with no insulation.

RC said it would be helpful to see the property in person before acting on future similar lakeshore redevelopment applications.

MW noted that there's significant ledge at this site. Removal of some trees is unlikely to cause substantial erosion.

HB said that some of the trees on the slope had exposed root balls. The property owner was unsure of when they started to be exposed.

RC said below the construction site, it was mostly exposed rock to the water. It's possible that during times of flooding, wave action could cause erosion higher up the slope.

HB, if the proposal is to move forward with a recommendation to keep some trees, it will be important to explain why.

ZR asked if setback averages pushed this new structure closer to the lake. SG, no. It was about retaining existing nonconformity.

A MOTION was made by MB and SECONDED by DM:

Recommend approval and advise the applicant to keep the 3 cedar trees on south side of the property in place due to habitat, soil erosion, and screening from the lake. If the 2 Norway maples come down, replace them with serviceberry or another similar native species.

(RC noted that what's in place for EPSC currently needs fixing.)

Vote: 8-0-0

Update & Discussion

1. Intervale Deer Management

A discussion with Patrick Dunseith

Patrick Dunseith gave a quick overview. The city has an ordinance that precludes archery. A change would be needed to allow archery hunting. Deer predation has become a problem for farms in the Intervale. This semester, he's started to work with an NR 206 class to strategize as

to community outreach and management methods to address the problem. He'd like to know how we can work together on this matter.

HB noticed that goats were out earlier this summer. Mr. Dunseith said they are no longer in place. The goats were part of an invasive species management effort with interns during the summer. The goats did not lead to a noticeable impact on deer numbers. HB asked if more than just a change to city ordinance is needed. Mr. Dunseith said a change to city ordinance is definitely needed. Hunting licenses are controlled by the state. Lacking a special program for deer hunting in the Intervale, any licensed hunter could come into the Intervale. VT Fish & Wildlife would support a controlled hunt. RR said the property could be posted "no hunting without permission." DM said we should avoid a charter change.

MW said it would likely be better received by the city council if the hunt was limited to a special hunt in the Intervale. HB said if a specific area is identified, we need to account for future changes in the area.

RR said an ordinance change should be tied to a controlled hunt in the Intervale. DM, if the ordinance is changed, it should only allow bow hunting in designated areas. Then outline how areas are designated. HB agreed.

DM, wholeheartedly supports the work Mr. Dunseith is doing with the NR206 class. Ground work as to community education and engagement is first and foremost in this effort.

Mr. Dunseith is looking for Board support for outreach and education opportunities. HB said a public forum needs to be scheduled. Get one on the books, and work to prepare for it. ZR noted this issue is on the radar with residents in the New North End. If we make a recommendation, we want to have a compelling case. We could put together an RFP for consultant assistance to establish a basis for moving ahead into community outreach. DM suggested coordinating with VT Fish and Wildlife. ZR said she could reach out to Sarah Carpenter.

HB said, following this upcoming election, she can help organize next steps. ZR said we should have results from the NR 206 students by December. Let's put this on the December Board agenda. We can reach out again to Nick Fortin at VT Fish & Wildlife.

Mr. Dunseith said he's asked the students to evaluate various methods for community outreach and education. He'd like to know if the Board has any recommendations.

HB requested that Mr. Dunseith send along info as to ideas under consideration by students. Then we can better help move it forward.

RR noted pertinent resources on the VLT website.

HB noted that surveys can be problematic when no one responds to them. You want to have a pathway to get this out to the public and get their attention. Mr. Dunseith said he's interested in defining these pathways. Is there a way to better utilize the students' time?

RC said it seems we've been around this issue before. This sounds like a project in need of a project manager. There are a bunch of advocacy groups that could help with this work.

HB suggested that the students research advocacy organizations that could help lead this effort. The Conservation Board is not an advocacy organization. To do the legwork and community outreach. Door to door canvassing.

ZR said we should revisit this matter in December. It's a pressing conservation issue in the city.

Mr. Dunseith asked about some possible advocacy organizations. RC mentioned VT Fish & Wildlife and VLT. Patrick reiterated he's not pushing for hunting. This is really about how best to address the of deer depredation. He does not know where else to go if VT F&W doesn't want to lead this.

RR said that student survey work may not be the best focus. Research how other communities have dealt with this issue. The students should identify key stakeholders for consideration of next steps when we talk about it in December.

DM suggested that 7Days might have a fall / outdoors issue. Maybe consider putting together a student side bar to introduce the impacts of deer depredation in developed areas like Burlington.

ZR said she'd circle back with Patrick and with Councilor Carpenter.

2. Urban Reserve Shoreline Naturalization

A Discussion with Ryan Crehan

Ryan Crehan overviewed the potential project. The identified area is near the dog park along the lakeshore. Just as a concept, if some of the sheet piling was removed, what might it look like? The area had large petroleum tanks on it from the 1930's to the 1980's. Its all fill land. Would it be possible to reconnect fragments of floodplain forests?

Federal F&W paid for a report to consider removing some of the sheet piling. Is there contamination that could leach into the lake if the sheet piling was removed? A presentation of this report was made to CEDO, Parks, and city planning recently. The deep water access will remain intact. He showed an image of leaning sheet piling further south along the shoreline.

DM said the project sounds like an exciting opportunity to demonstrate that naturalized shorelines can withstand lakeshore dynamics.

RC said next steps will include borings for soil samples. MW said that at the edge of the wetland north of the sailing center, soil analysis did not show severe soil contamination. Petroleum breaks down over time unlike some other substances.

DM said the Conservation Board can help support and advertise this project. We should tout the effort.

RC said that the city's Planning Office was supportive of the idea.

MW said that Table 2 in the report is good to have if a clean-up plan is ultimately required.

ZR asked if anything from the Board is needed now. RC, is this something that legacy funds could be used for?

ZR, we can put it on the October meeting agenda. MW said that additional monies may be available from ACCD. ZR also noted that the legacy fund is fully funded now.

Adjournment

7:06 PM.