

## Burlington Conservation Board

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## Conservation Board Meeting Minutes

Monday, May 5, 2014 – 5:30 pm  
Planning & Zoning Conference Room – City Hall Lower Level  
149 Church Street

### Attendance

- **Board Members:** Zoe Richards (ZR), Jeff Severson (JS), Scott Mapes (SM), Matt Moore (MM), Miles Waite (MW), Don Meals (DM), Damon Lane (DL), Will Flender (WF), Stephanie Young (SY)
- **Absent:** None
- **Public:** Erik Hoekstra, Justin Dextrateur, Peter Smiar (247 Pearl St), Amy Demitrowitz, Bill Nedde (112-114 Archibald St), Jenna Antonio DeMare, Jennifer Chiodo (energy benchmarking), Karen Bates (watershed improvement projects)
- **Staff:** Scott Gustin (Planning & Zoning)

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

### Minutes of April 7, 2014

DM noted on pg. 3, line 32, "receiving" should be "combined sewer." Pg. 6, line 39, "curb" should be "curve." Pg. 8, line 30, "impaction" should be "compaction." Pg. 9, line 21 s/be deleted, last line "stow-away" should be "spillway." Pg. 12, line 13 s/be deleted.

Discussion of end point of JS's written minutes corrections. JS noted the document for his corrections is what he used as a basis at the April 7 meeting but did not get to read it all at the April 7 meeting. End point of his verbal statements is unclear. JS said he's been contacted about his comments. DM concerned about possibility of ex parte communication. MM asked Board members to what extent JS's corrections reflect the meeting. ZR said the 1<sup>st</sup> three pages look like corrections. Page 3 is beginning of JS's prepared comments – he didn't get far into them at the meeting. DM, would it be possible at that point to say in the minutes that "JS had a set of the following written comments that did not get read into the written record." SG noted that the minutes should just reflect what was actually said. We can take JS's entire written statement to inform our decisions as we move along with this project through the PSB process. SM asked where we're at with this. He'd like to get a sense of where. How JS's comments fit in will be valuable as we move forward. MW, entire statement shouldn't be in the minutes as they were not fully stated at the meeting. DM, at our next meeting, let's schedule an hour to go over this project and our thoughts and comments on it. JS, defer action on the minutes pending review by Mary O'Neil who took them.

DL said we don't know for sure what was actually said. We don't want to put in more or less than what was actually said.

JS noted two distinct points where he was stopped. DM concurred.

MW noted on pg. 2, line 7, "sucked it up" should be "had to tolerate."

A MOTION was made by DM and SECONDED by MW:

Approve 4/7/14 minutes as corrected.

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).

Vote: 7-0-2

### **Board Comment**

SM, likes DM's comments about dedicating some time for the Board to wrap its arms around the South Forty project internally. (Bike path on June agenda too). ZR, noted bio-finder training coming up. It is worth reflecting on the complicated nature of conservation. Flynn property would be a top tier conservation site according to ANR's bio-finder methodology.

DM wants to clarify what the train of authority is relative to the PSB project review.

WF suggested making the agenda item explicit as a working session for the Board.

JS said that he's been contacted by several parties. He indicated to them that he couldn't converse on the subject with them. He felt that he could do so now that Board comments have been made. SG noted that the Board will be discussing this project further. We've only taken the first step. Individual board members probably shouldn't be discussing it outside of our meetings. MM concurred.

ZR, how long does a wetland permit usually take? If they don't get approval, does that end the PSB application? DM, they could appeal or make it smaller. JS said there's no administrative deadline for wetland permits.

DM suggested developing the agenda between now and the next meeting. SM cautioned against getting into anything substantive over email. We should just get together and go over what we've got at our next meeting.

SG noted the statutory reference for quorums and taking action.

### **Public Comment**

None.

### **Open Space Subcommittee**

Defer.

### **Project Review**

#### **1. 14-0884CA/MA: 247 Pearl St (RH, Ward 2) Pearl Lake, LLP**

Major impact review to construct new 3-story 29-unit residential building and associated site improvements.

Erik Hoekstra, Justin Dextrateur & Peter Smiar appeared.

MW noted that he's consulted with the applicants before but he is not involved in this project.

Erik Hoekstra overviewed the project. The prior building burned down. He is working with the owners to redevelop the site. It's located in the RH zone – intended for high density residential development. A 29-unit apartment building is proposed along with onsite parking. Short term bike parking in racks is proposed in the public green belt out front. The basement will contain a long-term bike storage locker. Lot coverage will increase to about 64%, less than the 80% allowable. Requesting a parking wavier from the DRB. He noted that 21 new trees will be added to the site. Additional grasses and shrubs will be added as well.

Peter Smiar addressed stormwater. Stormwater treatment is pushed to the back of the site. There are presently 3 discharge points – off the back, to the (east) side, and out front. SM asked if it's combined sewer behind the property. Mr. Smiar said he believes so – it follows the old ravine. There's really no existing treatment onsite. The front and side discharges will be discontinued. The post-development flows to the rear will not exceed existing flows. He noted soils. Native soils under the building with fill soils in back. An infiltration system is proposed under the rear parking area. The soils are fairly sandy with a

30+’ depth to water table. SM, what’s the max storm event that can be handled. Mr. Smiar said the system is aimed at the 10 year storm event.

MM, what about the infiltration testing? Mr. Smiar, we looked at two locations. We went down 2’ below the depth of the proposed infiltration system. The infiltration rate is 2” – 4” per hour.

SM, the roof drains go into the system? Mr. Smiar, yes.

MM, are the soils clean? Mr. Smiar, yes. Just some brick and concrete mixed in. No contaminants mixed in.

SY, what about the cold climate heat pump system. What’s back up? Mr. Hoekstra, electric resistance heating. It’s there for a handful of extreme cold days. A natural gas back up system is not feasible. SY, is there a way to hook the back up into rooftop solar? Mr. Hoekstra, it’s possible, but the solar is not in the immediate project scope. Mr. Hoekstra noted they are seeking energy star certification.

SY, are you considering hosting a Carshare VT pod onsite? Mr. Hoekstra, we’re talking with them about it. There used to be a pod nearby, but it was the least used site in the city.

A MOTION was made by WF and SECONDED by DM:

Recommend project approval, support parking wavier, and applaud the provision of bike parking. SM said it was nice to see a stormwater proposal based on actual soils boring.

Vote: 9-0-0

**1. 14-0909PD: 112-114 Archibald St (NMU, Ward 2) Champlain Housing Trust**

Preliminary Plat review to demolish 3 existing residential buildings (retain the duplex at 27 Bright Street) and construct 4 new residential buildings and associated site improvements. 2 existing units plus 42 new units for a 44-unit development.

Amy Demitrowitz and Bill Nedde appeared

MM recused from action on this item.

Amy Demitrowitz overviewed the project. It’s located between Archibald and Bright Streets. This area has been targeted for redevelopment for a long time. 42 apartment units are proposed. A cooperative living set-up is proposed. Raised bed gardens and a play area are included. Underground parking is proposed.

Bill Nedde overviewed stormwater management. A geo-tech report has been completed for the site. The soils are sandy. Several infiltration chambers are proposed. Mr. Nedde overviewed the chamber designs. MW asked about the water table. Mr. Nedde said its 70’ down. He said infiltration is expected to be at least 25” per hour. 100% of the 1 year storm event will be infiltrated. SM, is there any direct connection to the city system? Mr. Nedde, there’s not.

MW, is there any soil contamination? Ms. Demitrowitz, tests done. It’s an urban site with high levels of lead and arsenic.

DL, how is it heated? Ms. Demitrowitz, it will be baseboard heat. No cooling. We try to reduce the need for air conditioners.

WF, what about bike parking? Ms. Demitrowitz, there will be storage in the garage and also racks around the perimeter. WF, would it be possible to capture some of the roof runoff for use in the raised bed gardens. Ms. Demitrowitz said it’s under consideration.

SM requested the geo-tech report for final plat review.

WF, appreciates a completely disconnected stormwater system. He noted the provision of outdoor amenities for the residents.

MW, did the phase 2 look at soil vapor? Ms. Demitrowitz said it's underway.

## **Update and Discussion**

### **1. Energy benchmarking discussion**

Jenna Antonio DeMare & Jennifer Chiodo appeared on behalf of this item.

Jenna Antonio DeMare displayed a brief Powerpoint presentation. They are with the VT Green Building Network. They are here to educate the public and building professionals about green building design. Jennifer Chiodo noted that energy benchmarking is an annual accounting of whole building energy use. Track trends over time. Generate interest and demand among owners and tenants in energy efficient space. It provides information to the market. The market can react to that information accordingly. Benchmarking aggregates the entirety of a building's energy utilization. Ms. Chiodo noted that Boston recently adopted energy benchmarking rules. Energy star portfolio manager is a commonly used energy benchmarking tool. She noted that BED is engaged in this discussion.

SM, how will data collection be done? Ms. Antonio DeMare, building owners will need to do so. Once an account is set up, they could authorize BED to upload the data into the portfolio manager. MW, is there opportunity here for consulting work if the property owners don't want to do the legwork. Ms. Chiodo replied yes. WF, how would I get the data for a particular building? Ms. Chiodo, the final website design has not yet been established. It would probably be similar to what NYC does. WF, he sees the VT Gas shortcoming as a problem. Majority of buildings in Burlington are likely heated with gas. Ms. Chiodo said that VT Gas is willing to participate.

SY, does DOE offer grants for small cities to pursue this? Ms. Chiodo, no. USGBC does offer some grants. We applied but did not succeed.

Ms. Antonio DeMare referred to the national benchmarking map. She displayed a preliminary table of building types in Burlington broken down by use and size categories. Ms. Chiodo noted the appropriateness of benchmarking for multi-unit residential buildings. Ms. Antonio DeMare said that various partners, including BED, CEDO, and Main Street Landing, are involved in this effort.

SY, are industrial buildings exempt in other areas where benchmarking is done? Ms. Chiodo, not in NYC, but may be elsewhere.

DM, the bottom line metric is how much energy a building uses. Ms. Antonio DeMare, yes. She noted that Jen Green at CEDO is committed to benchmarking city buildings. MM acknowledged that it would be good information to know. Ms. Chiodo noted that health care has the highest energy use. FAHC is interested in this information.

DM is there any distinction between renewable energy and fossil fuels in the benchmarking? Ms. Chiodo, no. DM said that seems like a deficiency in the system. DL said it's just a label to inform the market at this point. There is a state-wide effort to label buildings. Ms. Chiodo said the state will likely recommend voluntary standards.

SY, why is the data confidential for the industrial use? Ms. Chiodo, if someone can look at energy use and production, they can make comparisons to their own production and use it to their advantage.

DM left at 7:30 PM.

### **2. Discussion of identify potential watershed improvements project**

Karen Bates appeared on behalf of this item.

Karen Bates is with VT ANR, Watershed management division. She is responsible for 3 of 17 basins in the state. She's planning for #5 right now that drains right into Lake Champlain. She's looking to identify projects that do not involve bringing violations into compliance. She noted Burlington has a number of direct discharges into the lake. She met with Megan Moir earlier today to talk about project possibilities. They looked at areas that drained into the Main Wastewater Treatment Plant. She's interested in infiltration and/or green infrastructure project possibilities.

SM, these are not projects required by permit? Ms. Bates, yes. SM, Edmunds school would be a good idea. He said that unless a grant pays for all of the work, how do you attract interest in getting folks to go above the minimum standard? Ms. Bates said, for example, that Englesby Brook needs to get better. Any ground infiltration within that watershed would be helpful. She said that green roofs could be eligible too. SM noted the driver for improvements is often redevelopment. That gets into permitting requirements. Ms. Bates clarified that within Burlington, projects within the CSO watershed would be eligible. She suggested that the BCB could help Megan with project prioritization. SM said he could provide Ms. Bates with a map to delineate the areas of CSO versus MS4.

Ms. Bates said an educational outreach program is needed. Convey the idea of keep your own stormwater onsite. Property-by-property. Unsure of what local entity could spearhead such an effort. SY said there was an effort recently by "out of the blue." There was some, but not much, neighborhood participation.

MW asked what's proposed for Edmunds. SM said the steep slope and fire lane on the east side is to be redesigned as an outdoor classroom with stormwater management functionally integrated. Allows students to follow the water.

Ms. Bates said June 4 is the application deadline.

MM said that we see projects that aim to meet the minimum standards. Going above that depends on economics. All of them do go to Megan. It seems like there is opportunity for some coordination here to engage in this effort.

MW noted the LID amendment that is pending. There's still no way to provide credit or recognition for going above and beyond the minimum standards.

MM suggested working with the NPAs for additional outreach and ideas. He also noted several rain garden projects in Ward 1. MW said he had some students look at a potential project along Brooks Avenue.

### **Adjournment**

The meeting adjourned at 8:04 PM.