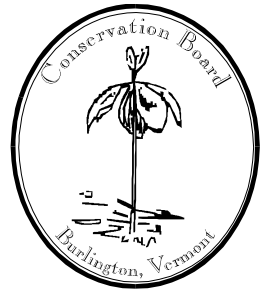


Burlington Conservation Board

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*Matt Moore, Chair
Will Flender, Vice Chair
Scott Mapes
Don Meals
Jeff Severson
Miles Waite
Damon Lane
Zoe Richards
Stephanie Young*



Conservation Board Meeting Minutes

Monday, January 5, 2015 – 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), Stephanie Young (SY), Damon Lane (DL)
- **Absent:** Will Flender (WF), Don Meals (DM)
- **Public:** Alicia Freese (Burlington College item)
- **Staff:** Scott Gustin, Sandrine Thibault (Planning & Zoning)

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

Minutes of December 1, 2014

SM noted on pg. 2, 3rd paragraph, last sentence, “may” should be inserted between “Burlington” and “run.” On pg. 3, 3rd paragraph, 1st sentence, “wetlands permit application” should be inserted after “project.” On pg. 3, 4th paragraph, 1st sentence, “runoff coefficient” should be inserted after “related,” and 4th sentence, “sufficiently address” should be inserted after “provide” and delete “much discussion of.” Within the 6th paragraph, 2nd sentence, “geotech” should be deleted and replaced with “soils.” On pg. 4, 3rd paragraph, last sentence, “does the model” should be deleted and replaced with “SM is concerned the model does not.”

JS noted on pg. 2 4th paragraph, 7th sentence “site plans included in” should be inserted after “the.” On pg. 4, 8th paragraph, 3rd sentence, “undue adverse” should be inserted after “are,” and “and flood storage” should be inserted after “stormwater,” and “quality treatment” should be inserted after “water.”

A MOTION was made by MW and SECONDED by MM

Approve as corrected.

Vote: 7-0-0, motion carried

Update & Discussion

1. Form base code presentation by Sandrine Thibault, AICP

Sandrine Thibault appeared on behalf of this item.

Ms. Thibault handed out an informational packet outlining form-based codes generally and that for Burlington specifically. She noted that most zoning regulations are centered on uses. In Burlington, we have a number of mixed use zones already. We’ve had form-based elements for a number of years, now we’re moving towards making the form the basis of the code. Uses will still be regulated, but they will not be the central basis of the zoning code. She noted that Newport, VT, Dover, NH, Miami, FL, and Denver, CO have form-based codes in place. More communities are heading in this direction.

She stated that the forms are based on transects from least to most intense development. i.e. The Intervale to downtown. The form-based code provides clarity and predictability, both for the applicants

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and for the public. It is very prescriptive. As a result, most of the uses are considered “by-right.” Comply with the rules and obtain a permit.

The form-based code emphasizes the street-level pedestrian interface. It’s about the height and form of the buildings. Height is limited by stories, not by a specific vertical foot limit.

She noted that several drafts have been put together with increasing refinement. The provisions are based in large part on our existing conditions within the built environment. The latest draft is under joint review by members of the Planning Commission and the City Council.

All form-based codes are based on a regulating map. They include building types, frontage types, urban design standards, landscape standards, and sign standards. ZR asked if stormwater would be addressed. Ms. Thibault said that it would be.

MW asked if there would be provision for waivers or variances. Ms. Thibault said those provisions will remain in the CDO.

The code is arranged into a hierarchy of standards. It starts with the form district, then the building type, then the frontage type. She noted that the district map of the form-based code is pretty similar to the existing downtown and waterfront zone map. Ms. Thibault noted the range of building types that are permitted in each of the form districts. She touched on frontage types. The code is set up like a menu. Not all of the standards apply to a given development. They are specific to district, building type, and frontage type.

MW asked if maximum height will change downtown. Ms. Thibault said it’s changing from a limit of 105’ to one of 10 stories. She noted there may be a height overlay in part of the downtown of up to 12 stories.

MM, what is happening to the waterfront RCO districts? Ms. Thibault replied that they are becoming Civic districts. SM asked if the natural resource overlay will go away. SG replied that it does not apply in the downtown or downtown waterfront now. SM commented relative to topography, we need to require at least 1’ or 2’ topography lines on new project site plans. He noted that present 5’ contour provision misses much within the downtown. A finer scale is needed to make sure developments integrate fully with our sloping streets.

Ms. Thibault said that the city’s Stormwater Program has been involved in the form-based code process. Requirements per Chapter 26 will remain. The form-based code itself has several provisions encouraging LID. She said that Megan Moir has considered a menu of stormwater standards. i.e. pick 3 of 10 possible alternatives.

MM asked if lot coverage limits would remain. Ms. Thibault said they would remain unchanged.

MM, there is no RCO district, just Civic districts? Ms. Thibault, yes. She noted several types of Civic districts with differing standards.

SM, notes telecom equipment. What about HVAC and solar equipment? Ms. Thibault said that the provision refers to the present telecom standards. SG said we don’t touch solar electric if its net metered.

Ms. Thibault touched on the administration process. Most of our permit approvals are done by staff already – about 90%. A DRB process will still remain for CU and major impact (MA) applications, but DRB review will be limited to CU and/or MA criteria. MW asked about MA revisions. Will that impact BCB review? SG noted we talked about this last month. There is a separate but related proposal to change major impact thresholds. The BCB needs to decide whether to develop an alternate review trigger and/or to defer more to the city’s stormwater program. Ms. Thibault noted there will be provisions for discretionary review for projects that do not conform to the standard form-based criteria.

Board Comment

SG noted the need to formalize Open Space Subcommittee members.

A MOTION was made by ZR and SECONDED by SM

Nominate and accept present slate of members including ZR, JS, MM, & WF

Vote: 7-0-0, motion carried

Dan Cahill mentioned the Archibald Street item has not yet been through the Board of Finance, pending a decision from VT DEC later this month. Then, we will have a better sense of what the required remediation will be.

Dan Cahill said an application for acquisition of part of the property is anticipated. A conservation easement may be part of the picture if it moves forward. The city is looking at enhancing the recreational values of the trails here.

MW said he's been involved with an urban fill work group with ANR and others. They've developed a plan to make it easier to dispose of mildly contaminated urban soils. Guidelines would take into account background levels of PAH's and arsenic. The VT Environmental Consortium is looking for funding/donations to pay for the studies needed to determine these background levels.

SM, what is the target disposal option? MW, we're looking for a higher threshold for allowing soils to stay onsite. If you have to take it away, it could be brought to another property under the same ownership. SM, when would the study be kicked off? MW, hopefully this coming spring.

Public Comment

None.

Open Space Subcommittee

See Board Comment.

Update & Discussion (cont.)

1. Burlington College

Jesse Bridges and Dan Cahill appeared on behalf of this item.

JS recused from the discussion.

SG noted the Board's request for follow up discussion from last months' meeting. A representative from the Mayor's office cannot attend tonight due to the City Council meeting, but there have been follow up meetings between Parks & Rec, Planning & Zoning, and Mayor's Office staff.

Mr. Bridges noted the statement issued by the Mayor right around the time of the December BCB meeting. He said that conservation, connectivity, and housing can all exist on this property. The Parks Commission and Conservation Board will be kept up to speed. MM said he went to the Parks Commission meeting last month to discuss. They were not quite as aware of the property and its resources as the BCB. It was a productive discussion.

MW, was there any discussion of how Eric Farrell got in? Why did it not go through an RFP process? Mr. Bridges replied that it's not a public parcel. Its privately owned by the College. MM said the College chose Eric Farrell through an RFP they issued.

Mr. Bridges said the city has an interest in any event as an abutting property owner. MM said that the city is not considering an acquisition of the entire property for \$7 M. He noted the conversation proposition made by the College is to purchase the development rights to the property, not the land. MM said the 60-day timeline for this proposition runs out soon – next week.

ZR, does the College own all of the land? MM, Eric has an option to purchase 17 acres of the property. SY, who would own the lands if the development rights were purchased? MM, Burlington College would continue to own the land. MM said that he's heard from Gil at VLT that he's happy to be a part of a conservation effort for part of this property if there is community support.

ZR, after 60 days passes, Eric Farrell will buy the property. MM, he has an option on the property. He will likely not actually acquire the property until or unless permits are in place. MM said he's not been contacted by any of the Friends of Burlington College about use of the Conservation Legacy Fund.

SM, as Eric Farrell comes through the permitting review process, there will be opportunity to work with him to conserve important aspects of the property. MM agreed. The end of the 60 days does not preclude these opportunities.

MM noted that this property was a catalyst, in part, for the Conservation Legacy fund. The Conservation Board is here and ready to participate.

Mr. Bridges said there will be ongoing coordination between BCB and Parks Commission, particularly as related to use of the Legacy Fund.

Adjournment

The meeting adjourned at 7:07 PM