

## Burlington Conservation Board

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



## Conservation Board Meeting Minutes

Monday, February 6, 2017 – 5:30 pm  
Planning & Zoning Conference Room – City Hall Lower Level  
149 Church Street

### Attendance

- **Board Members:** Zoe Richards (ZR), Jeff Severson (JS), Damon Lane (DL), Miles Waite (MW), Scott Mapes (SM), Stephanie Young (SY), Don Meals (DM), Will Flender (WF)
- **Absent:** Matt Moore (MM),
- **Public:**
- **Staff:** Scott Gustin (Planning & Zoning), Jenna Calvi (Dept. of Public Works)

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

### Minutes

January 9, 2017

JS, pg 5, 4<sup>th</sup> paragraph from bottom, "previous" s/be "purview."

DM, is any action expected on Brian Dunkiel's letter? WF does not see that we need to take action.

A MOTION made by DM and SECONDED by JS:

Accept the minutes of January 9, 2017 as amended.

Vote: 8-0-0, motion carried.

January 23, 2017

SM's email comments from 2/6/17.

A MOTION made by JS and SECONDED by ZR:

Accept the minutes of January 23, 2017 as amended.

Vote: 7-0-1, motion carried.

### Board Comment

DM remarked that there are some positions being proposed by city council candidates relative to the Conservation Board's work. One includes possibly using open space funds to provide stormwater management.

### Meet and greet with Jenna Calvi

Jenna Calvi introduced herself. She's presently the city's stormwater program coordinator. She started in November, 2016. She's doing a lot of Chapter 26 review and advocating for funding. She is also paying attention to legislation in Montpelier.

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SM noted the 50% modeling threshold vs. a 100% greenfield reference point for redevelopment projects. He said the BCB has struggled at times in their review of projects without having this threshold codified. He said it would be helpful to develop standards to fully articulate a standard, especially for properties that discharge into the combined sewer. He'd like the BCB to work with Ms. Calvi in this effort. Ms. Calvi said she's still new to the concept of combined sewers. Her work with the state did not involve wastewater treatment plants. She said that development of standards is definitely a priority of the stormwater program. They would like to move ahead following issuance of the new state stormwater standards expected in July.

DM, Megan Moir has done an excellent job representing key concerns of the city to the CCRPC and the state. Ms. Calvi said she's testifying to committee tomorrow about the proposed state stormwater utility and how it may affect Burlington's stormwater program including the potential for double payment for stormwater fees (into the state and the city stormwater programs).

DL noted that state energy efficiency program does not pull funds from Burlington. Burlington pays into its own program.

JS reiterated what SM said as to coordinating on standards for discharges to the combined system. SM clarified that we're talking about the 50% "green meadow" standard for redevelopment projects. Doing so can lead to undersized stormwater improvements with less than optimal improvements. We should strive for the newly adopted DMUC overlay standard for all redevelopment projects discharging into the combined system.

MW, stormwater engineers often assume infiltration is not possible. Modeling is commonly done without doing any field testing.

#### **Public comment**

None.

#### **Project Review**

##### **1.17-1507CA; 234 Penny Ln (Ward 5S, DW-PT) Burlington Harbor Marina** Construct marina, parking lot, and related site improvements

Jack Wallace, Charles DesLauriers, and Dave Marshall appeared on behalf of this application.

SM, is this city-owned land? SG, yes. The marina is leasing the property.

SG stated that this project is not "major impact," nor does the riparian & littoral conservation zone apply w/in the downtown zone. As it is one the lakeshore, it is within the Conservation Board's purview.

JS said he's presently working with Dave Marshall's firm on another project, but does not feel doing so represents a conflict of interest.

DL said he's considering keeping his boat here and will recuse from this project.

Jack Wallace provided an overview of the project. The long term lease will include about 0.6 acres. The parking lot is outside of this parcel and was previously permitted as part of the Moran redevelopment. The parking lot they are proposing is a few spaces smaller at 68 spaces. The sailing center will share the parking lot. DPW will manage the parking lot. A new park space is proposed between the lakeshore and the Water Department building. This area is presently a parking lot. He noted that the existing pavilion with public restrooms will be removed. There had been problems with maintenance and vandalism. The proposed floating marina building will have public restrooms. SM, will they be open to the public? Mr. Wallace, yes. MW, will the docks be open to public use? Mr. Wallace, yes. MW, will there still be onsite parking for Water Department employees? Mr. Wallace replied that the lot to the south of the Water Department building will be improved and will include spaces to replace lost spaces.

MW noted that the proposed parking lot area has petroleum contamination. Mr. Wallace said they've had a phase II ESA done. A corrective action plan is in place. It will be amended for this project. He said that it is acceptable to use the soils onsite for grading work. MW said the state may be able to provide assistance via the state's petroleum clean-up fund.

Mr. Wallace said that there are no wetlands in the area of proposed work. The shoreline is presently defined with sheet piling and rip rap. A state lake encroachment permit is needed. SM, is Army Corps review needed? Mr. Wallace responded that they are talking to them now. The Corps will review from 98' elevation and out into the lake. MW, is any dredging needed? Mr. Wallace, no. SM, will the docks be in place year round? Mr. Wallace, yes. Bubblers will be in place to lessen ice around the docks.

JS, what planning considerations have gone into non-motorized boat traffic? Are there any issues with ferry traffic? Mr. Wallace said that has been an ongoing discussion between this project and the Sailing Center's Project. Parks & Recreation governs the city's harbor rules. The Sailing Center will be further north. Small watercraft from there will be able to head north away from the proposed marina and ferry traffic. Mr. Wallace noted the city's harbor plan calling for some 300 additional boat slips.

WF asked about stormwater infiltration. Mr. Marshall said that the pervious pavers will be similar to rainwater presently infiltrating through the lawn. The proposed parking lot will be 100% pervious. There will actually be a net decrease in pervious surface. Mr. Marshall overviewed the site plan depicting retention of existing impervious surfaces and introduction of new pervious surfaces. New green spaces will be used in the disconnection of several areas of the site. New greenspace will provide filtration prior to discharge into the lake. They are trying to implement some of the best management practices outlined in the forthcoming state stormwater manual.

WF, in the park area, will the area around the CB be raised up or left as is? Are there opportunities for infiltration? Mr. Marshall said that's not come up as an issue. The benefit of further treatment beyond what's proposed may not warrant the mud hole that may result in this area.

WF, who will handle maintenance and plowing of the small lot at the end of Penny Lane? Mr. Wallace, we've had a couple of meeting about that matter. The city will keep the lane and walkway clear. There will be at least 1 employee onsite through the winter. We can remove snow before the spring if need be. WF, is there a concern with using salt on/near the pervious pavers? Mr. Wallace said the snow storage area will be standard concrete. There is an existing installation at the Marriott hotel. Mr. Marshall said he's not sure what the city will do for maintenance of these walkways. WF said he's concerned in light of the degradation of the pervious Pease parking lot. Mr. Marshall said that the pervious pavers rely on the pervious joints rather than pervious concrete material.

MW, in the converted pervious areas, do the soil borings indicate that the soils will be amenable to infiltration? Mr. Marshall said that the soils are fairly sandy. MW, the Moran project had included a heat exchange component. Is that still proposed? Mr. Marshall does not know. The Moran project has been scaled back. MW, will there be fuel storage onsite? Are there plans for spill response? Mr. Wallace, yes, there will be, and there are plans to handle spills. He pointed out the fuel dock. An underground tank for gasoline and diesel is proposed. Lines will extend to the docks. The fuel dock is out on the end. The tank itself will have secondary containment features as will the fuel lines. There will be a containment control plan in the event of spills.

WF, how will fuel be delivered to the site? Mr. Wallace, with tractor trailers.

DM, what's in place for sewage pump out? Mr. Marshall said a facility will be provided onsite near the fuel dock. Waste will be sent to a pump station that will in turn send wastewater into the city's sanitary sewer. Pump out facilities will be free. There will be generator back up. Both the fuel and sewage will have spill monitoring systems.

WF, have there been discussions about bringing public transit down to this part of the waterfront? Mr. Wallace said their contribution is the design of the parking and access layout. It can accommodate bus

service. He also said that they will provide a water taxi service along the downtown waterfront and up to North Beach.

SM, would signage make clear that this marina is open to the public? Mr. Wallace said that they do not yet have a sign plan, but the spirit of the agreement with the city is that the marina will be open and inviting to the public.

A MOTION was made by MW and SECONDED by DM:

Recommend approval of the project as presented.

Vote: 7-0-1, motion carried.

## **Update & Discussion**

### **1. Open Space Subcommittee**

ZR said the group met earlier today. She said that Parks & Recreation has put out a conservation newsletter. They are looking to make it a regular item. She's hoping that trails will make it into the newsletter. She said there was some discussion at the subcommittee relative to a couple of potential land acquisitions or conservation easements. Dan Cahill will do some further investigative work. The subcommittee also talked about the trails effort within the city's natural areas. The city has a really great suite of natural areas. Improving public awareness of them is a goal of the effort. There has been discussion of a city council resolution articulating overarching goals of the effort and to kick it off. There has been discussion of hosting a summit with stakeholders in the early stages.

DM thinks the resolution is a good idea for setting the goals and tone of the effort. The summit is a good idea too for developing a clear direction and priorities. He noted the summit that was held relative to the former Catholic Diocese property some 15 years ago.

SY, would private landowners be part of the summit? ZR, not sure yet. We can figure that out. We want to get the major landowners together – largely institutions, the city, and WVPD. She sees the summit as largely centered on planning. She's like to see branded trails result from this effort. She referred to the TAM (Trail Around Middlebury).

SM, if everyone is in the room, links can be made between the various properties. MW said that putting all of the maps together could be a great project for a grad student. Preliminary work could be done before a summit. SM, then the needs for connectivity, signage, and access could then be assessed.

SY, would the resolution come before the summit? ZR, yes, the resolution would ask for the summit.

ZR, would like to think we could generate enthusiasm and funding for this effort. SM, thinks the CCRPC would be interested in this effort as an economic driver. It is low impact with a tourist aspect.

DM noted the possibility of a brewery walking tour.

ZR showed a map of the TAM. She also noted the Open Space Plan does not differentiate natural areas from more active parkland. She noted that Leddy Park has ball fields, an arena, and woodland.

ZR, the original open space plan deliberately avoided inclusion of more developed parkland. She'll aim to bring some maps along for discussion next time.

### **2. Invasive species soil condition**

Defer.

### **3. Trails discussion**

See Open Space Subcommittee above.

**Adjournment**

The meeting adjourned at 7:30 PM.