

## Burlington Conservation Board

149 Church Street  
Burlington, VT 05401  
<http://www.ci.burlington.vt.us/planning/>  
Telephone: (802) 865-7189  
(802) 865-7195 (FAX)

*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, June 5, 2017 – 5:30 pm

Planning & Zoning Conference Room – City Hall Lower Level  
149 Church Street

### Attendance

- **Board Members:** Zoe Richards (ZR), Jeff Severson (JS), Stephanie Young (SY), Miles Waite (MW), Scott Mapes (SM), Don Meals (DM), Damon Lane (DL)
- **Absent:** Will Flender (WF), Matt Moore (MM)
- **Public:** John Svagzdys, Gene Seinfeld, Elisa Nelson, Sophie Mazowita, R Paul Smith, and Charles Goodnight (79 Industrial Parkway)
- **Staff:** Scott Gustin (Planning & Zoning)

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

### Minutes

May 1, 2017

A MOTION made by SM and SECONDED by MW:

Accept the minutes of May 1, 2017 as written.

Vote: 5-0-2

### Board Comment

DM said he's redoing his driveway with permeable pavers. He has encountered the city's ambiguous permit process. He got the zoning permit and then went to get a building permit. He was told by DPW that no building permit is needed. A building permit folder was created in order to close out the permit. He thinks the city needs to straighten this out. He said he also applied for subsidy via DPW for his driveway project. He was eventually told that the city has no funding for this program. His request was forwarded to the Lake Champlain Sea Grant. He's now getting questions from the city's stormwater program about project parameters. The permit process is not easy. He's also getting 0 lot coverage credit for the project. SM noted the bonus provision associated with the pervious pavement. DM said he thinks there should be lot coverage credit. There's no stormwater fee credit. There's really no incentive for a homeowner to do this.

MM appeared at 5:35 PM.

ZR said she has a gravel driveway and does not think it is pervious at all. SM said that gravel is basically impervious, like asphalt. SM said that a pervious paver system can be designed to easily accept the 1-year storm event.

JS made a suggestion for a future BCB agenda item. The ongoing bike path reconstruction included rare plant protection measures as discussed by the BCB during project review. Jesse Bridges noted that the consultants were charged by PRW with protection of these rare plants. Maybe we could ask Dan Cahill for an update as to how that work has gone so far. The recap might be able to help guide us when doing

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future reviews. SM, ask for the report (site evaluation of where things are and what was done to protect them).

DM noticed some fresh erosion control fabric at the Champlain School. Is it tied to remediation of knot weed? ZR said that she's not aware of any remediation work.

SG noted paper CDO availability.

MM said he got a note from VT Association of Conservation Commissions asking to renew our membership. The fee is \$50. JS said that there's no direct benefit, but it was useful when the Burlington Conservation Board was originally established. DM, they do support the creation of new conservation boards. JS said that they offer small grants for local conservation boards. MM asked that SG look into renewing membership.

MM also mentioned that several board members' terms are expiring this summer. SM said he's reapplied. DL said that he's up too but did not reapply. MM is up too but has not reapplied yet. SM suggested contacting Lori Olberg directly.

**Public comment**

None.

**Open Space Subcommittee**

No meeting today.

ZR noted the proposed resolution formalizing the conservation trails effort on the City Council's agenda tonight.

**Project Review**

**1. 17-1097CA/MA; 79 Industrial Pkwy (Ward 5S, ELM) Rhino Foods, Inc.**

Construct 2 building additions, 14,200 sf of building footprint, paving of an existing parking lot, construction of a new parking lot, access drive, and stormwater system, and associated site grading.

John Svagzdys and Gene Seinfeld appeared on behalf of the application.

MW said would recuse himself. He's advised a neighbor as to an environmental site assessment.

John Svagzdys overviewed the existing conditions on the site plan. He pointed out the proposed work consisting of new additions, parking, and site access. He went on to address stormwater management. A grass swale will capture runoff and direct it to an onsite stormwater pond. The project is subject to a state stormwater permit.

SM asked about the extent of the wetlands. Mr. Svagzdys said it's just the class 3 within the roadside channel.

JS, will you show the limits of woods? Mr. Svagzdys noted the location on the site plan. He indicated that the corridor of woodland will remain. A small area jutting out will be removed.

Sophie Mazowita said she's looked at wildlife corridors in this area. There is a lot of movement in this area of various species. This is mostly edge habitat linking larger habitat areas together. She'd like to see tree clearing limited. She'd like to see the woodland corridor stay intact. She recommends vertical slat fencing and/or lifting the fence off the ground.

Mr. Svagzdys pointed out new plantings. DM asked what kinds they are, whether shrubs or trees. Mr. Svagzdys said they are mostly shrubs with some trees mixed in.

MM asked for key points relative to stormwater management. SM asked about the state stormwater permit. Where is discharge ultimately headed to? Mr. Svagzdys said it ends up in a roadside ditch. The ditch eventually ends up in Englesby Brook. SM asked if the state is applying standards specifically for discharge into Englesby. Mr. Svagzdys said he was not sure. SM said he suspects that the state is requiring an individual permit due to Englesby. MM pointed out that the packet info shows an individual state permit.

DM, how does the grass swale get cleaned of accumulated sand? Mr. Svagzdys said that the maintenance plan calls for cleaning out once sand reaches a set level.

Elisa Nelson said that most of the back line of trees – about 30' – 40' in depth was cleared. She was told that the clearing was done to protect the building. She said that many of the trees were limbed up. There are just trunks at the ground level.

SM asked about the tree cutting that's been done. SG said that it was reviewed and approved by the DRB. SM asked if there's any provision to allow growth of underbrush. Gene Seinfeld said the plan does not specifically address this, but there's no problem with allowing the regrowth at this point.

ZR, given the present conditions, is natural regeneration sufficient or will additional new plantings be installed? Ms. Mazowita said that the new plantings will be beneficial. DM said that the understory of the forest will regenerate on its own.

Ms. Mazowita asked why the fence line is the way that it is. Ms. Nelson said that she requested that the fence be extended, in part, to screen the large nitrogen tanks. She also requested that more evergreen trees be included in the plan. Ms. Mazowita said the fence itself is not necessarily bad. The more vegetation, the better for wildlife movement. Mr. Svagzdys asked Ms. Mazowita what she thinks about the staggered fence line. Ms. Mazowita replied that she's not opposed to extending the fence line.

Ms. Nelson mentioned the rooftop mechanical units. Mr. Seinfeld said they will be screened. Ms. Nelson mentioned some that are out of repair. Mr. Seinfeld said that they will be taken care of.

Ms. Nelson said that noise has been a persistent problem.

JS said the fence and plantings have a potential benefit for wildlife. He said that thickening of the canopy with something like cedars would create additional benefit.

Ms. Nelson asked about the height at which tree caliper is measured. SG mentioned that caliper measurement is specified in the CDO. It's basically equivalent to DBH.

Ms. Nelson mentioned that the stormwater ditches along Industrial Parkway frequently flood during storm events. She hopes this project helps. DM suspects that this project won't help with the ditch flooding. If the pond is constructed correctly, it will mitigate peak flows into the ditch. Mr. Svagzdys said that discharge will be reduced for the 1 and 10 year storm event.

JS said that he thinks the wetland delineation is pretty generous. More than half appears to be the ditch. It does not look to be something that would have functions and values. The permit application notes that it will be addressed. He does not see any issues.

A MOTION was made by JS and SECONDED by DM:

We support the project as designed and make the following recommendations:

- New plantings, including additional evergreens such as arborvitae, should be added along the northern property boundary in a staggered configuration.
- To the northwest of that line, the area should be left unmanaged to allow understory growth providing for wildlife habitat in this corridor.

- If the fence is to be extended, it should be staggered as well. The fence should be installed in such a way as to avoid additional tree clearing. Tree clearing should be limited to the triangular spot shown on the site plan.

Vote: 6-0-1, motion carried.

## **Update & Discussion**

### **1. Conservation trails initiative**

ZR said there's a bunch of interesting stuff happening with the lands behind the high school. There are a number of stakeholders involved. There's been a good bit of progress in gaining control of the property and in dealing with the trail networks.

MW asked if there's a vernal pool behind the Alliance Church. JS said there's more than one.

### **2. FY '17 Annual Report**

No additional comments were received from Board members. The document was signed by all present.

## **Adjournment**

The meeting adjourned at 7:15 PM.