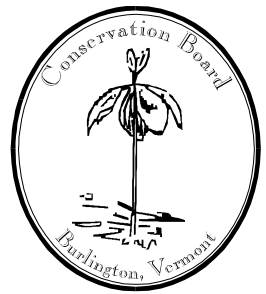


Burlington Conservation Board

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Caryn Connolly, Vice Chair
Zoe Richards
Don Meals
Ryan Crehan
Hannah Brislin
Leslie Spencer
Kyle Tansley
Ethan Ely
Elizabeth Cunningham, Student



Conservation Board Meeting Minutes

Monday, January 6, 2025 – 5:30 pm

Remote & In Person Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Caryn Connolly (CC), Rebecca Roman (RR), Leslie Spencer (LS), Don Meals (DM), Ryan Crehan (RC), Hannah Brislin (HB), Kyle Tansley (KT), Elizabeth Cunningham (EC)
- **Absent:** Ethan Ely (EE)
- **Public:** Owen Milne (Sailing Center), Susan Ogden, Sharon Bushor (Public Comment), Nick Larned, Nick Warner, Lauren Chicote (WVPD), Jill Dixon (Open Space Plan)
- **Staff:** Scott Gustin (Permitting & Inspections), Dan Cahill, Daniel Schmidt (Parks & Rec)

RR, chair, called the meeting to order at 5:31 p.m.

Minutes

October 7, 2024 minutes

A MOTION was made by KT and SECONDED by DM:

Approve the October 7 minutes as written.

Vote: 8-0-0, motion carried.

Board Comment

RC mentioned he's the Conservation Board member on the Long Range Planning Committee. We had our first meeting last week since joining the Committee. The city is doing a lot of planning – New North End, 127 Path Scoping Study, Preservation Burlington, Open Space plan, and Comprehensive Plan due by end of 2026.

Public Comment

Sharon Bushor mentioned the Land and Water Conservation Fund as something that was used for the Schmanska barn. It may be a consideration for the WVPD. She agrees with the need and value of WVPD's boardwalk project, but not with use of the Legacy Fund for it. She also mentioned the Community Sailing Center. She values the mission of the Sailing Center, but could not find dimensional info for the land being asked for. She's concerned with the other project for Derway Island shoreland erosion mitigation. Has the US Army Corps of Engineers looked at this? Is this a smart thing to invest in, in light of climate change? There's an upcoming discussion of the Conservation Legacy Fund as part of the Open Space Plan work. She thinks it would be prudent to have someone with financial expertise involved in this discussion. When talking about long term funds, it may be good to have an expert without any skin in the game to provide advice. When the Legacy Fund was established, there was consideration

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of funds needed for management. She'd like open space to provide balance for species other than just humans.

Susan Ogden (author of deer email sent to the Board) commented to the Board. The deer are here and are continuing to come into the city. We've seen their numbers and impacts increase with some pretty negative results. There are no predators here. She feels its only a matter of time before we see more deer/vehicle collisions and more pronounced impacts on other wildlife species. Is this item on the Board's radar? RR said the Board has talked about deer, especially as related to Intervale farms. The Board has talked to Intervale Center staff as to potential management strategies. City ordinance is currently an obstacle to some forms of management. The Conservation Board is advisory and cannot make any requirements. DM said its been on the Board's radar but has seemingly dropped off as of late. Something does need to be done. Public perception may generate substantial outcry unless management proposals are carefully developed and considered. Having conversations with neighbors may help make progress. ZR mentioned participation in the Open Space outreach process. Deer have potential to substantially impact the city's long term tree canopy health. Susan Ogden said we really need a public education campaign as to the pretty serious consequences of high deer densities. She mentioned the Rock Creek Park controlled hunt in Maryland used to control deer numbers there. RR said something similar has been done in Pittsburgh. RR, do you know what happened with the information from the UVM student project? Dan Cahill, we still have the data. It could be used to move forward with an effort here in Burlington. ZR mentioned the Cornell deer management strategy.

Open Space Subcommittee

No meeting today.

Update & Discussion

1. Community Sailing Center

Overview of zoning amendment request to enable boat storage in the Urban Reserve

Owen Milne appeared for this item.

Owen Milne said there have been a couple of events to inform and solicit public comment as to the Sailing Center's proposal to use an area of the Urban Reserve (UR) for boat storage. He noted community services provided by the Sailing Center such as floating class rooms, summer camps, lake stewardship, and kayak and boat rentals. One of the services that used to be provided was storage for folks to use for their boats. Up to 200 people used this service. The last year we could do it was 2019. With completion of the Moran FRAME project, the city made the former storage space lawn area. Our current storage area is limited just to the Sailing Center's fleet. There is a public desire for this service to be reestablished. We are considering an area in the UR just to the north of our facility. It is city property. We are looking to prioritize kayak and paddle board access. He noted the recent shoreline access improvements and showed a slide of the potential storage area in relation to the existing facility. We've had UVM Rubenstein students do an ecological assessment of this proposal. He noted there are two wetlands in this area. They are presently considered class 2 wetlands. We may have a reassessment done. VHB will do a hazardous materials assessment of the area. We don't anticipate doing any building or paving. The area would be surfaced with crushed rock.

DM, how large are the trees that would be removed? Owen Milne, there are two trees in particular that are mature. The rest is dense low growth. We would do new plantings to mitigate the clearing. DM, what do you envision as the final surface? Owen Milne, crushed rock, not sur-pac. We would keep the surface permeable. DM, have you evaluated alternatives to this site? Owen Milne, no. We would not provide the service if it were located on a different property. Its fine if the city wants to provide it elsewhere. DM, possibly make it smaller. DM, what would the plan be if a delineation confirms the class 2 wetlands? Owen Milne, does not yet know. DM, this is the UR. The intent is to preserve it for the future. We are at most 40 years from its establishment.

RC has worked in, and is familiar with, the Urban Reserve. He noted the lakeshore buffer zone in addition to the wetlands and their 100' wide buffers. This area is also affected by the lakeshore flood hazard zone. The UR district standards says that no additional lot coverage is permissible, along with no permitted or conditional uses. The area is public trust land because it is filled – brings with it requirements for public access. He noted the interim waterfront management plan. The UR was conserved with an easement requiring a 100' wide shoreline buffer. RC is not sure where to start among these concerns. SG noted that there is no application yet. The Sailing Center is aware that the rules need to change to allow for this. Owen Milne said that the project would be approvable per the conservation easement. RC said the city is the easement holder and would need to concur. ZR asked for clarification of the process here. SG replied that the Sailing Center has requested a zoning amendment to allow the boat storage use in the UR. The Planning Commission will consider it for the first time January 28. If they support the amendment request, then it would go to public hearing with the Planning Commission. From there it would go to the City Council and basically repeat the process. The Conservation Board can weigh in now and additionally in the future if it wishes. RR said she was surprised to hear the VHCB found this compatible with the easement. She thinks the service is great, but not at this location. RR recommended a motion.

A MOTION was made by RC and SECONDED by DM:

The Conservation Board does not support a zoning change in the Urban Reserve because it is not in keeping with the intent of the Natural Resource Overlay District, the Urban Reserve District, PlanBTV, Waterfront Urban Reserve Interim Use & Stewardship Plan, or the intent of the conservation easement or public trust standards.

Vote: 8-0-0, motion carried.

2. Open Space Plan

Project update and solicitation of comment

SG provided a status update and overviewed the history of the Open Space Plan and some of the major related accomplishments. The effort to comprehensively rewrite the plan began this past summer. It includes the formerly separate Urban Forest Plan and includes a team of UVM's Spatial Analysis Lab, Agency Landscape & Planning, Dan Cahill, Sophie Sauve, Sarah Morgan, myself, and Zoe Richards. We hosted stakeholder meetings this past November and are gearing up for a first round of public outreach and engagement this month and next. We'll have a presence at the January 25 winter farmers market and also at the January 23 New North End plan event. We're aiming for an ad hoc event such as skating at the ice caves and also to have a presence at Winterville. The initial outreach is aimed at gathering public input to help build a framework for the new Open Space Plan. This coming spring and summer, we'll host a second round of stakeholder meetings and public outreach and engagement. The second round is aimed at fleshing out a draft and, ultimately, a final Open Space Plan for adoption by the City Council.

Based on initial outreach and stakeholder discussions, emerging themes include:

- Connectivity and supportive frameworks
- Communities of care
- Balance and flexibility to do the work
- Challenges to successful open space

Some key considerations that have been identified include:

- Whether and how to revamp the Conservation Legacy Fund to support conservation infrastructure
- How best to shape our changing landscape in the coming years
- Climate change and resiliency
- Basis for a new Tree Ordinance

- Green design standards

SG, what comments does the Board have at this time?

DM said we should have some open spaces to be largely natural, not to emphasize public access and use. ZR noted the robust conversation that needs to be had in figuring that out. Jill Dixon said Kim Chapman, ecologist, is on the project team. His work will help to balance these needs of conservation and accessibility across the community. RR to DM, what do you mean by unmanaged? DM, areas that are not organized for human access. DC, Arms is a great example of an area with spaces for wildlife that had informal trails. It took active management to modify the trail network and to improve its natural function. RC, thinks its great and looks forward to seeing some of the connections. Connect more kids with nature and natural areas in and around their schools. LS, how were location outreach locations decided? Jill Dixon, the Farmers Market is likely a better way to connect with the community than a stand-alone event. We'll have info boards and activities for folks to engage with. Daniel Schmidt asked about the website. SG replied that its up and running. It will be updated with information as the project moves ahead. Currently, there's a way to sign up for project updates and events on the website. Dan Cahill mentioned an online component for outreach may be worthwhile as well. It worked well for the Open Space Addendum during Covid. CC, will there be an online survey? Jill Dixon, yes. RR emphasized the importance of engaging with the Conservation Board. ZR, especially as a draft emerges.

3. Winooski Valley Park District

Continued consideration of Conservation Legacy Fund application

Nick Larned overviewed the boardwalk reconstruction project. It involves infrastructure. He's hoping as the Open Space Plan changes, then projects like this one can become fundable. He knows of the Nature Based Climate Solutions grant program. Burlington is one of 8 municipalities within the Park District. In a way, the subject property (with the boardwalk) is city land. We've applied 2 or 3 times for the recreational trails grants and were denied. Its an expensive project due to its location within a wetland. The area is high visibility right off Rte. 127 and the bike path with a number of community garden plots nearby.

RR, the original Legacy Fund language is prescriptive and makes consideration of this request challenging. This application hits on the education and stewardship pieces. There's not an easy, clear path forward with the current language. Long term, we would like to develop a framework to enable funding of conservation infrastructure projects.

DM looks favorably on the application but wants to know how this aligns with the standards. RR said that the project is not acquisition. Stewardship standards refer to lands conserved with the Legacy Program. Consideration of a variance may be warranted due to the project's alignment otherwise with stewardship. (ZR mentioned that we should really revisit Urban Wilds as part of the Open Space Plan). RR mentioned thirdly the Legacy Fund's support of conservation education supported by the Legacy Program. CC, does it connect to an educational area? Nick Larned said it's a 300' long boardwalk through a wetland that is publicly accessible. CC said its an important access point. DM said he's uncomfortable with asking for a variance from the policy standards. He'd rather see a comprehensive reevaluation of the role of the Legacy Fund. CC, we don't want to see much infrastructure built in these areas. In this case, an existing pathway would be repaired. DM said there would still be Conservation Board and Parks Commission oversight. RR said she's looking for a motion to bring this application forward with a request for variance and to continue policy discussion around conservation infrastructure. SG summed up the prior Open Space Subcommittee discussions that the project does not really fit into the "box" of the current Legacy Fund standards but also that the Subcommittee felt that it doesn't hurt to ask now, especially in light of the continuing policy discussions that will take place with the Open Space Plan. ZR said that there is a lot of activity and educational opportunities at the Homestead right here in Burlington. The project will be great if we do it now or if we wait ~18 months for the Open Space Plan and possible Legacy Fund changes.

A MOTION was made by DM and SECONDED by CC:

The Conservation Board supports an exception for the Conservation Legacy Fund to fund this particular project and to proceed to the Parks Commission and the City Council.

Vote: 8-0-0, motion carried.

Dan Cahill said he'd like to see a resolution from the Conservation Board to support/articulate addressing the conservation infrastructure concept of this item in the new Open Space Plan. He supported Sharon Bushor's suggestion to bring a financial professional into the discussion and evaluation. We are in a city without a whole lot more land to conserve, but we are seeing progress in conservation education and seeing a need for conservation infrastructure in the community.

A MOTION was made by RR and SECONDED by ZR:

Conduct a comprehensive review of the Conservation Legacy Fund as it is written with periodic consultation with a conservation finance advisor to review how to achieve a healthy balance for fund acquisition and also to support conservation infrastructure and conservation education programs (not limited to Urban Wilds).

Discussion: DM, what do we want a financial advisor to do? Dan Cahill, to advise on how to support conservation infrastructure initiatives while also keeping sufficient reserve for acquisition. CC, maybe its just periodic advice – now and maybe every 5 years from now.

Vote: 8-0-0, motion carried.

4. 2025 Board Meeting Schedule

Review and approve 2025 meeting schedule

A MOTION was made by RR and SECONDED by ZR:

Approve the 2025 meeting schedule as presented.

Vote: 8-0-0, motion carried.

Adjournment

7:32 PM.