

# Natural Resources and Conservation Committee

## Minutes

Shelburne Town Offices Meeting Room 2  
(Zoom platform: see details below)  
7:00 PM Rescheduled to  
Tuesday September 21, 2021

- Call SNRCC meeting to Order: 7:00 (also by Zoom see invitation below)
  - Gail, Don, Fred in person; Chandler, Sean, Bob, Jon on Zoom.
  - Mike absent
  
- Identify minute taker - 7:01 -7:02
- Review and Approve Agenda – 7:02 -7:03
  - Don moves, Gail seconded (7-0)
- Review and approve minutes of Aug 18, 2021 7:03 – 7:04
  - Bob moves, Don seconds (5-0); Jon & Sean abstain \*were absent at last meeting
- Public Comment (for items not on agenda)
  - None
  
- Development Review – 7:05-7:25 Crombach Multifamily Sketch Proposal, Krag proposal
  - Crombachs in attendance
  - Steven Brandon; wife Shelley Crombach (2870 Shelb Rd); own two contiguous parcels. Have designed multi-family development. Extends almost to RR tracks in west (~50 ft away); ~50 ft from Clearwater.
  - Don: do you have a stormwater plan?
  - Steven: met w/ stormwater engineer. Because of slope of property to west majority of stormwater will likely end up there.
  - Gail: one prior neighbor sent her a note indicating area was always “mucky”. Concerned about the loss of trees impacting the stormwater. Climate change & carbon sequestration. How will you design stormwater to mitigate impact of loss of trees?
  - Steven: trees will be added to property. Will do their best to preserve trees for screening. They will need to make numerous efforts to meet/exceed the stormwater standards. Will follow their engineer’s advice.
  - Bob: how many units? Total acreage? Steven: 107 units; 6.67 acres total.
  - Gail: Where will commercial space?
  - Steven: only commercial will be on frontage by Rt. 7.
  - Fred: What % of forest will be left?
  - Steven: doesn’t know answer. It’s just a sketch currently. Things may change based on form-based code, DRB. They intend to exceed minimum requirements. In process of redrawing plan. Plan on making some more “in character” with the surrounding development.
  - Steven: Wetland specialist (private contractor) visited site today (9/21/21).
  - Don: SW code would ask to calculate precipitation that lands on property... but your property will have more water than just that draining onto the property. Steven: that’s a good point, will have to look into that more—hadn’t considered that.
  - Don: most State standards deal with 1 year event; planning for a 3 to 5 year event would be helpful in capturing larger storms.
  - Gail: any way to consolidate housing units to use less space, save more of the forest?
  - Steven: most efficient use of space limited by form-based code (e.g. height); but

neighbors are concerned about height of buildings.

- Gail: have you considered less buildings/units? Steven: it's been considered.
- Don: \*pointing at southeast extent of propertyi can you explain what's going on here?
- Steven: can't really comment on that b/c it's an issue with the DRB. Will have some green spaces; perhaps a dog park.
- Don: can you explain parking?
- Steven: parking fairly delineated. Will have some on-street parking; underground parking to reduce footprint. [At southwest extent], townhouses may add impervious. Combined parking at [southeast extent].
- Gail: \*asking about larger buildings on plan\* regards to parking.
- Steven: planning on underground for those. 2 spots per unit. Following code, may reduce some to 1 spot( if designated for elderly )/ unit.
- Gail: Will there be affordable housing? Steven: \*inaudible\*...
- Sean: is there someway of reducing footprint of development? The tree screen, while aesthetically appealing, doesn't have much of an ecological impact. Design as-shown is basically converting entire property into impervious surface, lawn. Hope there will be a way to redesign plan to reduce how much space taken up.
- Jon: no further questions/comments currently.
- Christine: no further questions/comments...reiterates trying to be more 'creative' layout to reduce impact to trees.
- Bob: Nothing further. As above.
- Chandler: may be rare/endangered vascular plant near southwest boundary.

#### COMMENTS FROM NEIGHBORS/AUDIENCE

- Bob Bouchard (: Steve & Shelly have been great neighbors. Do you have a survey of the property yet? (No) How many parcels? (2) Is the single-family home on a different parcel?
- Bob Bouchard: is a developer, and usually plans for at least 20% extra stormwater. Regs used to prefer stormwater ponds, but now preferring infiltration... doesn't see any infiltration areas mapped out. Clearwater is already having issues with stormwater. Concerned this project will impact them. Issue brought up regarding access at DRB—doesn't see any changes. Access is shown at Clearwater Road; but this is a private road. They will \*not\* allow access, unless they can show any legal standing that allows access to Clearwater Road.
- Gail: That is beyond the scope of our committee. We can't really comment on that.
- Bob Bouchard: It does in that, if they can't access Clearwater, their development will need to be smaller.
- Steven: Can't really comment on the issue of stormwater that Clearwater is already having. Given all the feedback at DRB, current meeting... are going to take stormwater issue seriously.
- Speaker Unknown: west side of RR tracks often filled up with water. They live at Clearwater currently and there are definitely issues after rain events. Lake Champlain Overlay District covers at least 1/3 of the property on west. Overlay District identified as area where natural resources are important; this should be noted.
- Steven: There is a possibility we will help improve this stormwater issue.
- Marem: ???
- Robilee Smith: Thanks committee for holding this early on in sketch stage; thanks Steve & Shelly for coming and listening to feedback from community members. Property drains to stream north of property that goes into culvert & straight into Lake Champlain. Hopes there is oversight to make sure all involved understand this stormwater essentially drains near-directly into Lake Champlain. There is a chart in town's 2019 Comprehensive Plan (Map 1, existing land use)—indicates forest, forest-wetland present. Unsure how accurate this is because likely done by aerial photography. Urge that this is delineated sooner rather than later. Section near her home always wet in spring. Turkey Buzzard is a federally protected

migratory bird and they roost in the woods there; \*shows picture to show size of trees in area\*. Hoping northern white pines upwards 100 ft tall will remain; and they aren't the tallest trees there. Hoping that these mature trees are not taken down. Mature, old-growth forest. This project seems like it will displace these federally protected birds. Remembers VELCO [when they were burying the power lines in the area] project was nearly stopped because of a wetland plant in the area. What exactly is the SNRCC's role here? What oversight do you have? Can you help ensure these species be protected?

- Gail: Our role is point out these types of issues to the DRB. We may recommend certain kinds of oversight (e.g. a specialist delineate things; site walks).
- Gail to Steven: Have you done any analysis of what specimens [e.g. mature trees] exist, can be preserved? Rather than planting new trees.
- Steven: They went through site to look at some of the trees. The health of some of the forest is in question. Had forestry expert come to property; have hired wildlife expert (site visit this week). First time doing something like this—will share as much as they can at the appropriate meetings.
- Gail: Might ask DRB to do site-walk on property as it stands today. Perhaps it would be possible to have some of the experts present.
- Steven: May be cost-prohibitive. Experts may not be available for site walk.
- Gail: Can you share these experts' names? Steven: not able to at this time.
- Gail: \*inaudible\*
- Gail: Section 600 letter?
- Don: Not required yet at sketch; can provide committee-approved comments. We want to be able to hear about their stormwater plans before
- Gail: Summarizing: Main comments: reduce building footprints & pavement; save more forest and also identify what is actually going to be saved.
- Christine: If it is so wet there, have they considered the issues they will have with underground parking?
- Christine: question about stormwater regs updating every 10 years...
- Gail: How about the federally protected turkey buzzard?
- Sean: They will likely need to answer these kinds of questions during Act 250.
- Gail: How about the endangered plants?
- Chandler: Map doesn't indicate what the plant is.
- Sean: Maps don't show exact location of plants; more generalized. Whatever field surveys they conduct will delineate this.
- Gail: Lake Champlain District Overlay? Where would we get this info.
- Sean: If he recalls correctly, 200 ft zone. Doesn't strictly prohibit everything, but provides some guidelines. Ken (Planner) will likely sift through this info [for staff report].
- Bob: Doesn't a project of this scope trigger numerous State-level requirements? This should be screened by DEC, other appropriate State agencies.
- Gail: Concerned Act 250 not strict enough. Town not interested in overriding Act 250 (being more stringent).
- Gail: Will work on drafting committee comments. Have one week before DRB meets.

- RE: KRAG PROPOSAL

Gail: Did anyone attend last week's DRB meeting?

- Sean: Does not appear we ever got this plan; were not asked for comment prior to this final hearing. Habitat For Humanity development. Lots of impervious surface proposed (e.g. 6 car lot for just a duplex).

**Regulatory development** 7:25-8:00: with the development of the new map from Sean and Taylor, we now need to plan our on the ground biological review and discuss financing a consultant. Discuss this as a budget item for the Select Board.

- Don: Should we formally ask SB for funds for biological review?
  - Jon: In past meetings seemed like we agreed on the on-the-groundwork.
  - Gail: in October will be required to attend budget meeting. We would need to have an idea of how much money would be required to hire this kind of consultant. Has identified some State-level grants that could be a possibility in garnering funding.
  - Don: Taylor suggested we follow in the footsteps of South Burlington in how they handled their biological review, hiring a consultant.
  - Jon: Maps & definitions we have developed, combined with a biological review would be strong. We can ask for town-funding & also pursue grant monies if need be. This is something townsfolk are generally interested in.
  - Gail: PC meeting will cover some of new proposals on fencing.
  - Don: Wording currently suggests that homeowners be cognizant of animal corridors.
  - Bob: We've taken the first two steps developing the map & definitions. Conducting a biological study is the next step.
  - **Whole group consensus:** Doesn't make sense to have committee members do the study, because we don't necessarily have the same credentials as an actual specialist we may hire.
  - Gail: Are we in agreement that at next meeting we ask for \$15,000 for ecological study? \$55,000 (as planned) for conservation fund.
    - Gail makes motion; Bob seconds (7-0).
- **Regulatory development** 8:01-8:20 update on progress at Planning Commission meeting Sept 23 (everyone should try to attend Zoom):
    - Don: PC preparing another package of changes; this is the public hearing for it.
  - **Regulatory development** 8:20-8:45 new effort called "Community Development"
    - Don: PC moving forward with getting "Downtown" designation for Shelburne, in attempt to get more State-level funding.
    - Gail: Would be helpful for us to be there and provide comments.
  - SNRCC involvement in Planning Staff job search 8:45 – 9:00
    - No candidates hired to date. Interviews and ads continue
  - Updates/New Business – 9:00-9:15
    - Discussion about when to hold future meetings.
  - Adjourn – 9:15, or upon completion of discussion (Gail motions, didn't hear who seconded [7-0])
- + Times approximate. Agenda items will address upon completion of prior item