

**CONSERVATION COMMISSION
DRAFT MINUTES
October 21, 2015**

MEMBERS PRESENT: Byron Quinn, Al Alessi, Cyndy Kozara, Lynn Peterson, Lea Kachadorian
MEMBERS ABSENT: Bethany Powers, Alan Willard
OTHERS PRESENT: Michael Brands

I. OPENING OF MEETING

Chair Quinn opened the meeting at 7:30 p.m.

II. MINUTES

The minutes of September 16, 2015 were approved as submitted.

III. NEW BUSINESS

A. Bicycle Summit

The CC discussed a two page list of bicycle issues affecting Woodstock. The list was prepared by Al Alessi and was emailed to all members. The highest priorities are a path to the high school from the Village and infrastructure improvements, mainly wider shoulders and a painted fog line.

Ms. Kozara asked why the CC was discussing a bicycle planning session, she did not feel this to be a conservation issue.

Mr. Peterson and other members also spoke up, questioning the issue as well.

The Town Planner noted at the September meeting, the planning of a bicycle summit for the November CC meeting was proposed, discussed, and was unanimously approved.

Mr. Alessi noted if it is the sentiment of the CC, he'll look to other potential groups to carry the plan forward. The Sustainable Woodstock Transportation Committee may be a good fit for the issue.

The Town Planner stated, the Economic Development Committee discussed a bike pedestrian route/loop northeast of the Village along the river, at their last meeting. This

group is looking for economic generators. The bike pedestrian path in Stowe has proven to be an economic success with numerous restaurants now abutting the path. The Woodstock Inn has found the use of free bicycles for their guests to be a very popular feature.

Ms. Kozara suggested speaking with Rita Seto, the TRORC Transportation Planner, for additional possibilities.

After discussion, the CC agreed to drop the Bicycle Summit idea.

B. VERI - Vermont Economic Resilience Initiative

After Tropical Storm Irene, the State reviewed numerous flood areas with significant flood damage such as Woodstock. In an attempt to prevent and prepare for future flood events, VERI - Vermont Economic Resilience Initiative was set up for a number of the affected communities. After a year's worth of meetings and discussions, the program has created a report for Woodstock. A list of recommendations was established. The State would like each community to implement one of the recommendations listed in the report.

Pete Fellows, TRORC, has recommended the establishment of a 100' wide riparian easement. The easement would run from the Lincoln Covered Bridge east to the trailer park along the Ottauquechee River. A map of the area was shown to the CC. The easternmost section of this area has few trees and appears to be farmed within 20' of the river bank. The easement would assure that agricultural use does not occur within 100' of the river's bank. The easement would allow the 100' buffer to grow back naturally, the western portion of this is already in a wild natural state. The trailer park was hit hard by Tropical Storm Irene. The proposed buffer, once mature, would significantly slow water flow and would serve to filter debris.

The land is owned by Tom Debevoise, a South Woodstock farmer. This year it has been left fallow. But usually corn or soy beans are grown here. The hope is Mr. Debevoise would offer the easement without reimbursement, however there may be State funds available for the purchase of an easement.

Ms. Kachadorian asked if this would be considered a taking. The Town Planner responded that no, a taking involves governmental actions such as loss of an owner's land to an eminent domain process or the rezoning of a parcel that severely restricts its use.

After discussion, the CC unanimously voted to approve the proposed easement.

The Town Planner will discuss the proposal with the Planning Commission as well before confirming the recommendation with the State.

C. River Corridor

The Town Planner gave a brief update on the State's proposed River Corridor regulations.

A State prepared map of the river corridors was shown to the CC. The State is rethinking regulations after it was pointed out that some of the corridors are unrealistic. An example of this is the High Street river corridor which includes a very steep hill and 80' vertical rise leading to Mt. Peg. on the east edge. The waters of the Kedron Brook would never be able to reach the higher elevations of the mapped areas. The Town Planner is working to resolve these issues with Pete Fellows, TRORC GIS Specialist.

In addition, the river corridor criteria becomes tangled with the intent and wording of the riparian and flood hazard regulations. Both the Town Planner and Mr. Fellows are working with the State to achieve more flexibility in the regulations. Ned Swanberg is the State Flood Official coordinating the work on the River Corridor regulations.

D. Potential Zoning Changes - Town Zoning Regulation Rewrite

The Town Planner reviewed a brief list of potential changes to the Town Zoning Regulations. The Planning Commission is currently rewriting the regulations.

The riparian buffer regulations have been an issue, mainly with Village applications. There are numerous properties with existing lawn to river bank. As well, there are many properties that are entirely located within the 100' buffer. In some cases the buffer includes property across a Village street. These issues were brought out during the Gilbert VDRB decision mentioned below.

Would an exemption mandating a minimum 50' buffer work? The exemption could be allowed where either a lawn or building is located within the 100' buffer. Criteria would be necessary for a board to decide whether or not an exemption should be allowed.

There are some areas where the vertical rise of a bank would preclude a water body from flooding. The Cloudland Road property where a stone terrace was built into a hill side is a case in point. The elevation of the west side of the stream is significantly higher than the east side. A scientific study of all streams could show the exact location of riparian areas but would be very expensive. This is essentially what the State's River Corridor study was intended to do. However, the State's budget could not possibly cover all streams and brooks, hence the generic 50' buffer for most streams and brooks. A formula could be created that takes into consideration the vertical difference of the two sides of a stream. Criteria responding to situations with a significant vertical difference may be an easier task.

For the water bodies that have a 100' buffer requirement, it may be possible to use the State's river corridor studies. However as noted above, there are a few areas of unrealistic riparian coverage. Minimizing overlapping regulations such as the river corridor and riparian buffers, would be better for public understanding and for administrative purposes. The riparian buffer is more concerned with vegetation coverage than the corridor regulations, which deal with development within a buffer.

A second item of change would be to reduce the wetland buffers back to 50' as they had been pre-2010. The 100' buffer covers a lot of land area, this is especially true on smaller lots. When first adopted in 2010, there was very little development due to the recession.

This year there are many more applications. The applicants are finding the 100' buffer to be restrictive. The proposed Village snow dump relocation is being impacted by the 100' buffer restriction. The Village is able to comply with the State's 50' buffer but not the Town's 100' buffer. The snow dump proposal is being redesigned and is not yet ready for submittal. The State only enforces a 50' wetland buffer and only on Class I and II wetlands.

Ms. Kozara noted her opposition to any reduction of wetland buffers from the current 100'. The 100' buffer offers much more protection to wetlands. The Town has shown strong support for wetlands over the years, reducing the buffer back to 50' does not help the wetlands.

The Town Planner suggested an exemption due to certain circumstances could be written into the regulations. This would be similar to the riparian buffer discussion noted above which would mandate a minimum 50' buffer. If exceptions are to be allowed there needs to be clear language for both the boards and citizens to follow.

A third item is the construction of ponds. In recent years, numerous ponds have been known to overflow. In two instances, one on Prosper Street and one on North Bridgewater Road Town, resulting road damage was significant. With the recent abundance of rain many ponds are filled to their brims. During heavy rain events, there is no overflow capacity for the stormwater.

Chair Quinn noted that during the '60s and '70s federally funded "fire" ponds were required to maintain the location of overflow pipes five feet below the highwater mark of the dam. The five feet of buffer space could assure adequate over flow capacity for heavy rain events.

The Town Planner mentioned an additional swale on the down hill side could be required to hold overflow water and/or direct it away from a road.

Discussing the global warming's tendency in our region that would increase rain events, Mr. Peterson mentioned the issue of stormwater flow affecting wood lands. It's rapidly becoming an issue with foresters and wood lot owners. An article on the subject was published by the Vermont Department of Forests, Parks and Recreation. Mr. Peterson suggested, a forest expert from the department, be invited to speak at the Billings Farm and Museum.

Mr. Alessi asked about cleaning the silt out of the Billings Mansion Pond. The water depth behind the dam is decreasing. He can't imagine this to be a healthy state for the water body. The State has prohibited dredging of streams and other water bodies for well over 30 years, although before that it had been a common practice. It was suggested Todd Menees, State River Engineer, should be contacted on this.

IV. OTHER BUSINESS

A. Electric Vehicle Charging Station

The Town Planner noted that request for the proposed electric vehicle charging station

(EVCS), discussed at the last meeting, will be accomplished via the State funded 2016 East End park and ride. The EVCS had been an option when the original grant for the park and ride was submitted. The Village has found they can add the EVCS to the currently 100% funded park and ride without penalty since construction of the park and ride has not yet started.

B. Gilbert Decision

At September's CC meeting, a variance request by Don Gilbert to reduce a portion of the riparian buffer was reviewed and recommended for approval. On September 23, the VDRB granted the variance based on the CC recommendation with certain conditions. The variance becomes applicable only if the existing home is removed.

V. NEXT MEETING

The next meeting is scheduled for November 18, 2015.

VI. ADJOURNMENT

The meeting was adjourned at 9:15 pm.

Submitted by:

Michael Brands, AICP
Town Planner