

Ferrisburgh Conservation Commission Meeting

March 14, 2023

Minutes Approved

Members present: Craig Heindel, Don Dewees, Barry Estabrook, Matt Gorton, Jen Cirillo, Amy Dohner, Joe Nelson.

Members absent: Karen Pettersen

Guests: Ken Corey of Charlotte-Ferrisburgh Master Naturalist Program, Courtney Kanetzky of Ferrisburgh Trails Committee

1. Craig opened the meeting at 7:05 p.m.
2. The February 2023 meeting minutes were moved to be accepted.
3. Trails Committee/Conservation Commission.

Courtney Kanetzky said that the Trails Committee was interested in learning about the Management Plan for the Town Forest, and whether the Trails Committee should contact the Conservation Commission regarding working on the access trail. She also asked whether the Trails Committee should promote use of the access trail to the public.

We discussed that the Conservation Commission was midway through doing an update of the Plan. Craig noted that he did not think we would stray from the overriding philosophy of managing the Forest primarily for habitat preservation and for the protection of wildlife. He noted that there are species there, particularly denning bobcats, which are extremely susceptible to disturbance from humans and dogs. The goal is to discourage overuse. He pointed out that there are numerous other places in the area—including state-owned land in Ferrisburgh—that were more

appropriate for dog-walking, biking, skiing, and other recreational activities. He said that the local snowmobile club has been granted permission each year to use a trail that runs north/south through the eastern part of the forest that has no public access. The 1.3-mile access trail from Robinson Road into the Forest is open to the public, and the Commission uses it for access for various projects. For that reason, the Commission has to maintain it in fairly good condition. The Commission agreed that we did not want to completely exclude the public, but had to balance access to the beautiful resource with our desire to minimize human impacts on sensitive areas such as the clayplain forest, bobcat denning areas, etc.

Courtney asked whether it would be appropriate for the Trails Committee to use grant funds for which it has applied for signage on the access trail. She said that signage would be important to allow people to recreate in appropriate ways. We agreed that signage would be useful to show visitors to the forest where they should, and should not, walk and provide other useful information, and we also invited members of the Trails Committee to join in any maintenance efforts.

4. Zoning Board Applications:

a. Application No. 23-011 (J. Brownell) Contractors Yard, Tupper's Crossing. Craig reported that he did not have any information. The ZBA had been made aware of the Commission's comments about wetland issues, and our sense was that the ZBA was taking them into account.

b. Application No. 23-012 (R. Donovan) Short Term Rental at 718 Old Hollow Road. Craig noted that the Zoning Administrator and chair of the ZBA had asked for input from the Conservation Commission. He had reviewed the application in the context of the sections of the LU Regs that address conservation and natural resource topics, and prepared a draft memo for the CC's

consideration, which he emailed to CC members earlier. We reviewed the draft. Regarding permits related to conservation issues such as groundwater, surface water and drinking water, Craig explained his understanding that the property is currently “clean slated” regarding a state wastewater permit for six people, based on two bedrooms in one unit and one in the other. It was Craig’s understanding that Donovan told the ZBA that their desire is to increase that to accommodate eight people. It’s Craig’s understanding that this would trigger a requirement for a state wastewater permit, but there may be options available for them to revise their proposal so it’s within their clean-slated limit. In response to Don’s question, Craig said he thought getting a state wastewater permit for eight sleeping spaces could be difficult because of the unknown location and nature of the property’s leachfield, and/or its proximity to nearby wells, and the small area of undeveloped land on the parcel could make it hard to site a complying leachfield. Craig’s draft memo addresses these concerns.

Another natural resources topic in the LU Regs is that the parcel appears to be partly or perhaps completely in the 100-year floodplain shown on the FEMA map, but the state floodplain manager had emailed to the ZA that the applicants’ proposal wouldn’t trigger floodplain regulations because no earthwork or development is being proposed. Craig’s draft memo includes a suggestion that the ZBA consider the proposal in relation to the introductory wording in the flood hazard section of the LU Regs about public health, safety, general welfare, and about uses that are dangerous in times of flood.

Craig’s draft memo noted that the other sections of the LU Regs that pertain to natural resources and conservation do not appear to apply to this proposal, because no earth disturbance is proposed, and the area of impervious surface on the property doesn’t appear

to be large enough to trigger the need for a state stormwater permit.

After further discussion, we agreed that it is appropriate to send Craig's memo, without changes, to the applicants, ZA and ZBA.

5. Town Forest.

a. Vernal Pools. Matt said he would go into the Forest between two and four times this spring when appropriate, to survey for potential vernal pools, which he thought might exist not only in the clayplain forest but elsewhere in the town forest. He welcomes other CC members to come with him, which he said would save him time. We encouraged Matt to use the ash tree inventory markers in the clayplain forest that were recently established by a UVM class project. Matt also said he would be agreeable to volunteer his time to accompany school groups into the Forest.

b. Boundary walk, and inspection for invasive species. It will take place from 9:00 am to about 2:00 pm on May 6. We agreed to invite Brooke Fleischman of the Intervale Conservation Nursery, who has an interest in collecting black ash seeds, to accompany the Commission on the walk. Conversely, someone might guide her to the black ash trees in the clayplain forest on another occasion. We agreed that we would refresh the boundary markers, and agreed that Joe will bring marker paint and an axe, and Craig will bring spare boundary signs and nails. We'll plan the specific route of our work that morning; we agreed that following the boundary lines up the steep west-facing cliffs would not be appropriate for safety reasons, and to not disturb the bobcat denning areas or soils. Rather, we will check what we can see of those boundary sections from below and above.

5. Bat presentation on Mar 23, 6:00 pm at town center. Craig will bring a laptop and a projector. We will use the town's screen. Craig said he would introduce the speaker. Set up will begin at

5:15. Amy said she will be there to set up the room. Don and Amy volunteered to bring snacks. Napkins, plates, and cups will also be needed. Amy asked for volunteers to stay afterward for clean-up.

6. Shade Tree Preservation Plan. Joe said there was not much to report because the selectboard had yet to choose a chair. Joe said he would bring up the subject at an appropriate time, and he'll coordinate with John Bull, Road Foreman. If the selectboard decides to set up a committee to help write the Plan, we offered that the Conservation Commission would be glad to participate.

7. Vacancy on Conservation Commission. Craig did not know if Tyler had sent his resignation letter to the town clerk. A replacement member would need to be appointed by the selectboard. Craig reviewed our previous procedure, which is that the vacancy would be posted by the town clerk at various places including on the town website, and Craig would post a notice on FPF. Commission members are encouraged to approach people we think would make good additions. Then we have suggested that interested candidates attend a meeting, and then follow up with a letter to the town clerk, who would put them on the agenda for a selectboard meeting.

8. Bridget Butler bird walk. Barry asked if the Commission could arrange with Bridget Butler for another bird walk. Amy volunteered to contact her about possible dates.

9. Website. Amy will work with the town clerk's office to update the Commission's website, including getting authorized and trained on how to edit it.

10. Meeting adjourned at 8:30 pm.

11. Next meeting April 11, 2023 at 7:00 pm. Hybrid mode.

Submitted by Barry Estabrook