

Ferrisburgh Conservation Commission
Special Meeting June 6, 2017
Approved Copy

In attendance for the FCC: Craig Heindel, Chair, Dennis Armell, Treasurer, Jen Cirillo, Amy Dohner, John Medenwald, Finn Yarbrough, and Karen Pettersen, Secretary
Guests: David Pierson, Ken Villeneuve, and unidentified 3rd person

Craig opened the meeting at 7:10 p.m.

A. The May 2017 meeting notes were moved and unanimously accepted, as amended.

B. JSCL, LLC proposed trucking terminal, Tupper's Crossing

1. The purpose of this special meeting is to determine if the Conservation Commission will make a formal statement regarding the stormwater design for this project, to the Ferrisburgh Zoning Board of Adjustment at the hearing on June 7, 2017.
2. It is our understanding that a VT General Permit 9015 authorizing stormwater discharge was issued by VTDEC on approximately June 1, 2017 for this project, based on the "Notice of Issuance of Stormwater Discharge Permit" that was signed by Sue DeVos and recorded by the Ferrisburgh Town Clerk on June 1, 2017.
3. Craig reviewed the chain of emails between Terry Purcell (VT Environmental Analyst, VTDEC Stormwater Program) and himself regarding the stormwater design and permitting process, which had prior been forwarded to Commission members. Purcell's emails indicate that the stormwater design submitted by TCE (engineering firm hired by JSCL) meets the stormwater regulations that were in place at the time the stormwater permit application was received (2002 VSMM; Vermont Stormwater Management Manual). He also noted that the current stormwater design would not meet the new stormwater regulations, which become effective on July 1, 2017 ("2017 VSMM"), but these new stormwater regulations do not apply to the current application.
4. Craig asked Terry to explain what parts of the currently approved stormwater design would not comply with the 2017 VSMM. Per email from Purcell dated 5/30/2017, the major issue is that other more effective phosphorus-reduction measures would be needed.
5. Conservation Commission members discussed the need to limit the phosphorus loading going into Lake Champlain. We noted that one of the primary reasons that VTDEC developed the 2017 VSMM was to address the Lake Champlain phosphorus problem, as mandated by the USEPA and VTANR in an overall phosphorus-reduction strategy.
6. David asked if the Conservation Commission was notified when the draft of the stormwater permit for this project was received and posted at the Town Clerk's office (May 22, 2017). Craig answered no, and we weren't expecting to be notified.
7. David also said he was concerned about potentially harmful chemicals that are proposed to be used to clean the trucks, such as degreasers. Craig responded that the TCE narrative in the stormwater permit application stated that degreasers would not be used.
8. On motion by Craig and seconded by Finn, this resolution was adopted: The Ferrisburgh Conservation Commission requests that a condition of any zoning permit for the JSCL project from the Ferrisburgh Zoning Board of Adjustment require the stormwater design for the project be in compliance with the technical aspects of the 2017 VSMM. Vote was unanimously in favor.

No other business was discussed and the meeting adjourned at 8:00 pm. The next scheduled meeting is June 13, 2017.

Respectfully submitted,
Karen Pettersen, Secretary