

**Richmond Conservation Commission
Meeting 1/12/21**

Minutes

Start: 7:35

Present: Max Krieger, Bob Low, Lack Linn, Judy Rosovsky, Ibit Wright

Public: Virginia Clarke, Brad Elliot

General Public Comment: None.

Past Minutes: December 2020 Minute Approved.

Additions to Agenda:

- Max has joined Richmond Trails Board: potential recusals

Wetlands: Focus of discussion: Received document – Wetlands Brief Discussion - APPENDED; Mobil Station Site Plan and application provided to RCC.

Mobil application:

- Looks like State will be OK.
- Not much encroachment on identified wetland area (Class-3).
- Historically the wetland area was part of Winooski flood plain. However, the area of concern became an orphan when the original Mobil development was put in place (would not likely have occurred if proposed at present). Other than for storage of storm flooding (e.g. Irene) there does not appear to be a substantial impact in an area already downgraded, as by presence of invasives.

Use of land requiring access through a wetland

- Should that require a variance / what width parameters should be permitted.
- Needs for variance if total parcel is wetland;
- The need to revise variance procedures (APPENDED, Bullet 2.7).

Wetland Regulations:

- Should Richmond's Regulations exceed those of the State.
 - Currently Richmond Regulations do not allow building, dredging, filling, ...; all such requests would require a variance. Town must decide if that is what we continue to want. Several on RCC indicated yes.
 - An update needed on wetland mapping / wetlands inventory: discussed mechanisms to achieve such as hiring Arrowwood; appropriateness of CRF application to cover costs. Focus on Class-3; Need for boots on the ground assessment. (APPENDED, Bullet 2.2)
- How might RCC be involved as is the case for several neighboring towns?
 - Though RCC does not have the required scientific knowledge base, consensus was that it is willing to be part of the decision-making process in an advisory capacity, as another set of eyes.

- Process outline: Applicant asked to obtain professional advice as to whether a wetland is involved. If so, that this be delineated and assessed professionally. RCC then asked to review and provide recommendation to the DRB.
- In developing wetlands (and other regulations) one must be mindful of the costs to the Applicant, as well recognizing the costs of obtaining a variance.
- Issue: not clear what is the consequence of violations.
- Crossing wetlands to access property (APPENDED, Bullet 2.5). RCC OK with this if passes muster by professional review.
- Issue: responsibility for wetland restoration.

Trails:

- An initiative is being developed between CCRPC and Richmond to build a master trails plan (walking / biking). RCC will write a letter in support, Judy working with Max). Develop a plan based on local priorities.
- Possibility greeted with enthusiasm of getting Richmond Committees (e.g. RCC, Trails, Recreation) (e.g. RCC, Trails, Recreation, Business) along with Richmond Land Trust together for a joint meeting similar to the one a few years ago organized by RLT and held at Cochran Ski Area. Need to discuss with RLT: Jeremy Hoff, Fritz Martin – involve Max
- Very important to keep conservation issues in the headlights in terms of wildlife crossings / migration / habitat, as for Andrews Forest. New Hampshire policies discussed.

Updates

- ACF Trails-work: Necessary work previously described by Ethan Tapper in his CRF application has begun but some must now be put off until spring; Unclear whether Selectboard has acted on CRF request – Judy will pursue.
- EAB: possibility of CRF application tabled pending update from Caitlin.
- Lake Iroquois:
 - Jack surveyed with Ethan Tapper giving Etan a good feel for the land for making recommendations;
 - Cut-down buckthorn is back requiring further remediation
 - Contacting High School about a working group encouraged
- RCC Membership:
 - Judy / Ibit will work on wordsmithing FPF announcement (also TimesINK?)
 - Possible name: Kitt Emory; Caitlin's husband
 - Selectboard views on membership discussed

Matters Arising

- Gillett Pond Funding: still underway; CRF has set aside \$150,000 – sunsets in 2021.
- Do RCC meetings have to be recorded?

Adjourn: 9:15

Wetlands – brief discussion issues – Virginia for 1.20.21

- 1.1 Wetlands serve important ecological functions including flood mitigation, slowing of climate change, prevention of biodiversity loss and provision of amenities
- 1.2 The decline in wetlands has continued in Vermont despite state and federal protections
- 1.3 State and federal permits are required for any development in Class I or Class II wetlands
- 1.4 The Richmond Town Plan lists protection of wetlands as a goal (Natural Resources Goal 1 Action 1)
- 1.5 1.5 Having wetland regulations in our zoning regulations signals to developers that wetlands are important to us and provides guidance early in the development process
- 1.6 There may be local Class III wetlands that the state does not consider significant that we would like to have local control over protecting

Some things we could consider incorporating into our wetlands zoning regs:

- 2.1 Requiring developers to be given or pointed towards *Landowner's Guide to Wetlands* pamphlet from the Vermont Wetlands Program when requesting an application
- 2.2 Requiring any known or suspected wetlands to be delineated on the ground by a wetlands ecologist, and indicated on the site plan, as part of the development application
- 2.3 Requiring a Conservation Commission review and recommendation to the DRB for any Class III wetland
- 2.4 Having buffer standards written into the regs (Class I = 100'; Class II = 50'; Class III = 50')
- 2.5 Allowing road, trail or utility line crossings of wetlands and/or wetland buffers after a feasibility study and plan for erosion and run-off control approved by the Agency of Natural Resources and the Army Corps of Engineers, while prohibiting any building, septic system, drainage, dredging, filling, alteration of water flow or storage of materials
- 2.6 Requiring that any intrusion into the wetland or wetland buffer represent the least possible impact, and that the intrusion does not adversely impact the storage of storm or floodwater, or the reduction of wetland functions and values
- 2.7 Requiring that wetland and wetland buffers be maintained in their natural vegetated state
- 2.8 Reorganizing the variance procedure so that a variance can be applied for if there is no possible use of a property that can take place without impacting the wetland (Ravi is working on this).
- 2.9 Establish permitting process to encroachment into buffer zones (not the wetland itself) could be limited by having a maximum amount of impervious cover or maximum reduction in width of the buffer
- 2.10 Require Project Review Sheets with any application that may be within a wetlands advisory layer

Ideas taken from the Vermont Wetlands Program, and the regulations of Williston, S. Burlington and Woodstock