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## TOWN OF BURLINGTON

### *Conservation Commission Meeting Minutes*

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DEPT. /BOARD: Conservation Commission

DATE: 6/08/2023

TIME: 6:30 PM

PLACE: 29 Center Street – Town Hall – 2nd Floor Main Hearing Room

**Member(s) in attendance:** Larry Cohen, Rob Sheahan, William Boivin, Indra Deb, Kent Moffatt

**Member(s) absent:** Ed LoTurco

Conservation Administrator John Keeley and Assistant Conservation Administrator Eileen Coleman were also present.

THE MEETING WAS BROADCAST LIVE ON THE BCAT GOVERNMENT CHANNEL

*Approved at the July 13, 2023 Conservation Commission meeting*

#### **1. Call Meeting to Order – Roll call of attendance**

Mr. Cohen called the meeting to order at 6:30 PM and read a statement about public participation and technology. On a Roll Call, Mr. Boivin, Mr. Sheehan, Mr. Deb, Mr. Moffatt, Mr. LoTurco, and Mr. Cohen all indicated that they were present.

#### **2. Public Participation (for items not on the agenda)**

There were no comments from the audience regarding items not on the agenda.

#### **3. Approval of Minutes – 5/11/2023**

**MOTION-** To approve the Minutes of the 5/25/2023 meeting of the Commission. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Abstain, and Mr. Cohen voted Yes. The Motion was passed with a vote of 4-0-1.

#### **4. Request for Certificate of Compliance**

a. 82 Macon Road – Stacie M. Colella – DEP #122-673

Mr. Charlie Creighton and Mrs. Stacie Colella of 82 Macon Road were both present for discussion of the project.

Ms. Coleman gave a summary of the project as the implementation of a new addition and a deck roughly 42 ft. from a regulatory stream. Given the proximity to the wetland area, a series of trees and shrubs were planted and yard waste was removed.

**MOTION-** To issue Certificate of Compliance for the project at 82 Macon Road DEP #122-673. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0.

**MOTION-** To release of the \$2,500 bond for the project at 82 Macon Road DEP #122-673. Mr. Boivin voted Yes, Mr. Deb voted Yes, Mr Sheehan voted Yes, Mr. Moffatt voted Yes and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0.

#### **5. Continued Public Hearing – Notice of Intent – 78 Mountain Road – Kenneth Gillis – Construct new residential dwelling – DEP #122-687**

Mr. Joe Currier and Mr. Kenneth Gillis were both present to speak on behalf of the project.

Mr. Currier presented the Commission with an updated planting plan as was requested at the most recent meeting.

Ms. Marcia Lancelotte of 71A Mountain Road was present and expressed a concern about bait boxes being used in her neighborhood near the project at 78 Mountain Road. Mr. Currier explained that the bait boxes are not being used on the project at 78 Mountain Road.

**MOTION-** To close the hearing for the project at 78 Mountain Road DEP#122-687. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0.

Ms. Coleman reviewed the draft decision. She asked for some minor clarifications on the specific number of trees being planted from Mr. Currier. The project was summarized as a new single family dwelling within the Riverfront Area of Little's Brook. The project includes 3 infiltration beds, grading, and planting of native trees and shrubs on the property.

A cash bond of \$3,500 has been requested.

**MOTION-** To adopt the findings under Burlington Bylaw Article XIV for the project at 78 Mountain Road DEP#122-687. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0.

**MOTION-** To approve the Order of Conditions under Burlington Bylaw Article XIV and the state Wetlands Protection Act for the project at 78 Mountain Road DEP#122-687. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0

**MOTION-** To request a \$3,500 surety under Burlington Bylaw Article XIV for the project at 78 Mountain Road DEP#122-687. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0

**6. Continued Public Hearing – Notice of Intent – 1, 2 & 10 Wall Street – The Gutierrez Company – Landscaping activities – DEP #122-pending**

MOTION- To continue the Public Hearing – Notice of Intent for the project at 1, 2 & 10 Wall Street – DEP #122-pending until the 6/22/2023 meeting of the Commission. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0

**7. Public Hearing – Proposed changes to Burlington Wetland Bylaw, Article XIV, section 1.0 to incorporate climate resiliency**

Mr. Keeley gave a summary of the findings from the Climate Resilience Subcommittee. Findings include minor changes to the bylaw which would allow the Commission to look into climate change impacts on projects.

Mr. Cohen asked the commissioners to speak on behalf of the four proposed changes to the bylaw. Any proposed changes would be subject to a public comment period.

Mr. Boivin spoke about one of the proposed changes: carbon greenhouse gas storage and sequestration. Specifically he indicated that tree cutting and removal can be detrimental to the sequestration of greenhouse gasses.

Another proposal is the prevention of the heat island effect. Mr. Keeley explained that the best way to mitigate the heat island effect is to reduce dark colored impervious surfaces and by enhancing the tree canopy.

Another proposal is to emphasize the importance of biodiversity such as native species protection, and minimizing tree cutting.

A final proposal is to mitigate the impacts of climate change, such as increased stormwater runoff and flooding, as well as stricter criteria for plantings so that the plants chosen to be implemented are the most hardy that will be able to withstand the effects of climate change.

Another update to the bylaw is the revision of the term “Selectmen” to be changed to “Select Board”.

**MOTION-** To continue the Public Hearing for the proposed changes to the Wetlands Bylaw Article XIV Section I to incorporate climate resilience until the 6/22/2023 meeting of the Commission.

## **8. Administration**

- a. There were no Planning Board comments.
- b. There were no subcommittee & staff reports and updates.
- c. There was no other business to be discussed.
- d. Upcoming meetings: June 22, 2023 | July 13, 2023

## **9. Adjourn**

**MOTION-** To adjourn the meeting. Mr. Sheehan voted Yes, Mr. Deb voted Yes, Mr. Boivin voted Yes, Mr. Moffatt voted Yes, and Mr. Cohen voted Yes. The Motion was passed with a vote of 5-0-0.

*Respectfully submitted by Tom Prior, Recording Clerk*