

Addison County Regional Planning Commission Full Commission Meeting

Wednesday, July 12, 2000

The Addison County Regional Planning Commission meeting on July 12, 2000 was held at the Hadley Barn in Middlebury, with Harvey Smith presiding.

ROLL CALL:

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| <i>Addison:</i> | | <i>New Haven:</i> | Harvey Smith |
| <i>Bridport:</i> | Edward Payne | <i>Orwell:</i> | |
| | Kent Wright | <i>Panton:</i> | |
| <i>Bristol:</i> | William Sayre | <i>Ripton:</i> | |
| | Jim Peabody | <i>Salisbury:</i> | Ed Hanson |
| | Peter Grant | <i>Shoreham:</i> | |
| <i>Cornwall:</i> | Don Shall | <i>Starksboro:</i> | Dan Baker |
| <i>Ferrisburgh:</i> | | <i>Vergennes:</i> | |
| <i>Goshen:</i> | | <i>Waltham:</i> | |
| <i>Leicester:</i> | Joan Whitman | <i>Weybridge:</i> | |
| <i>Lincoln:</i> | Rick Good | <i>Whiting:</i> | |
| <i>Middlebury:</i> | Karl Neuse | | |
| <i>Monkton:</i> | Thea Gaudette | | |

CITIZEN INTEREST REPRESENTATIVES:

| | |
|---------------------------------------|----------------|
| <i>AC Chamber of Commerce:</i> | |
| <i>AC Community Action Group:</i> | |
| <i>Otter Creek Audubon Society:</i> | Judy Kowalczyk |
| <i>AC Economic Development Corp.:</i> | |

STAFF:

Adam Lougee
Kevin Behm

Public Program

Harvey introduced Marc Lapin, who has studied Clayplain forests for four years. Mr. Lapin brought maps from UVM showing the Clayplain regions in the Champlain Valley, extending from Shelburne to West Haven. Mr. Lapin identified life in the Champlain Valley as greatly effected by the high clay content in the soil, particularly in the planting and plowing cycles of the farmers, the maintenance of logging equipment, and the gardening of private homeowners. The clay content presents many challenges, he said, but it has also historically yielded productive crops, such as wheat and corn. The trees that grow from this clay are very different from those growing on the mountains. Mr. Lapin studies the Clayplains forests of the Champlain Valley with Heather Carlson, also present at the meeting.

Part of Mr. Lapin's philosophy is to look at a forest and place it in context with the surrounding areas. He pointed out that, while there are Clayplains forests on the New York shore of the lake, they are much smaller, narrower areas. In addition, there are Clayplains forests identified in Michigan, Ohio, and Ontario, but overall, this type of habitat is quite rare. In addition, the Clayplains regions are threatened because they are thought of as agricultural lands rather than forest lands. Mr. Lapin identified the unique patchwork blend of forest and farmland as part of what makes Vermont so aesthetically pleasing. As threats to this environment become more prominent, Mr. Lapin identifies this as an opportunity for promoting conservation. His goal is to make the communities in which these Clayplains exist aware of the unique lands they possess and the possibilities for preserving them.

Mr. Lapin gave a brief slide presentation, identifying the major goals of the Champlain Valley Clayplain Forest project: research, conservation, and restoration. Currently, there are two Clayplains wildlife management areas in Vermont: Dead Creek Wildlife Management Center and Little Otter Wildlife Management Center. Mr. Lapin identified differences in climate, geology, geomorphology, physiology, soils, vegetation and other biota as distinguishing Clayplains forests from other northern hardwood forests. Physically, these areas are also of lower elevations and warmer temperatures than the hardwood forests. The major types of vegetation found in the Clayplains forest regions are: white oaks, red oaks, swamp oaks, burr oaks (which are only found in the Midwest, Maine, and the Champlain Valley), shagbark hickory, red and sugar maples, white pine, ashe, and various wildflowers. Musclewood and ironwood trees, though not as tall as the afore mentioned varieties, are also found in these regions and provide an important source of food for animals in the winter. Sedges, also, make up a huge proportion of the species and provide an important food source for moose, deer, and bears. Among these types of vegetation, there are several that are threatened or endangered, including the short-styled snake root, the Baxbaum sedge, the many-leaved bulrush, the

broadflowered sandwort, loose sedge, the oneida grape-fern, the yellow bartonia, and one bird species, the red-headed woodpecker.

The most basic characteristic of the Clayplain forest areas is the juxtaposition of wet and dry areas. This can be seen as both coarse-scale mosaics (which are wetter rather than drier in this particular Clayplains region) and fine-scale mosaics of drastically different wet and dry areas separated by merely a few feet, with the wet areas low and the dry areas high. There are occasional vernal pools which serve as frog and salamander breeding grounds, but these areas are rare in the Clayplains, for the wet pockets do not usually hold water long enough for these pools to occur.

One of the major conservation challenges is the construction of housing along the edges of the forests. This decreases the integrity of the forest, according to Mr. Lapin, and makes the already small patches of land shrink even further. Mr. Lapin also pointed out that the largest size of one continuous patch of Clayplain forest is 80 acres. A new approach to scientific study which is geared towards conservation is emerging in light of diminishing habitats such as this one called conservation biology. Conservation biologists working with the Clayplains have several key objectives: to maintain the core area, which is kept as large as possible without any manipulation of the area or housing, to maintain connectivity between patches of forest, and to protect and conserve the maximum populations of uncommon species found in these areas. In the Clayplains forest, the only rare animal species to be protected is the redheaded woodpecker, which needs the oak trees of the Clayplain to survive.

Karl Neuse asked Mr. Lapin for a picture of the red-headed woodpecker, but, as Marc did not have one, he described it instead as black and white striped with a red head.

At the state level, there is an increasing interest in conservation, as evidenced by the Dead Creek and Little Otter nature preserves. Eco-regional planning is about to begin in the Champlain Valley to define this entire region as a separate ecosystem from the rest of Vermont and the surrounding areas. The key to success with this project, according to Mr. Lapin, is heightened local awareness. He plans on reaching out to other planning commissions and organizations to give this presentation and attempt to get the message out that there are opportunities to get involved in this project from the very beginning. Mr. Lapin feels that it is important to demonstrate that we are proud to live here in Vermont and that we take care of our land. He will try to include as many organizations, town select boards, local conservation groups, and watershed groups as possible. Currently the collaborators in this project are: VT F&WL, FP&R, TNC, VLT, and private landowners.

Mr. Lapin then asked for any comments, questions, or discussion.

Harvey Smith asked if it was difficult to determine what the original species were thought to be, given the great amount of changes the land has undergone. Marc replied that the major species of the Clayplains forests have remained the same, despite the various uses the land has been put to. He is currently putting together a statistical analysis of what there used to be and what there is now. It is possible to determine that certain pieces of land have always been forests and what

kinds of species were present in them. It is not possible, however, to accurately determine how many of each species there were.

Rick Good asked if a bypass would be considered a disruption to the Clayplains forest, as Marc stated earlier that he did not consider roads in general to be destructive. Marc answered that smaller patches would be profoundly impacted by a road of this magnitude. He clarified that earlier, he had been referring to small, wilderness roads as non-damaging. He also pointed out that, as houses, roads, and farms are an integral part of most of these forestlands, they are a part of the ecosystem now. Because this habitat is fragmented, it doesn't occur any other way and must be studied and conserved as it is. Rick Good asked what would be done to minimize the impact of a bypass on the Clayplains forest. Marc replied that the best scenario would be not to place a major transportation corridor through these lands. Rick Good commented that because this land is swampy, wet, and not built upon, it will be much cheaper and, therefore, more attractive for use in the construction of a bypass. He predicted that it will be a great challenge to protect such inexpensive land. Marc agreed and expressed his hope that this project will become enough of a priority to avoid this outcome.

Peter Grant asked if the clay was so much like cement, how could stuff grow from it? Marc answered that it seemed amazing to him, as well, to see crops like corn flourishing in clay soil.

Ed Payne commented that the average yield from clay wasn't nearly as good as the yield from good soil.

Marc then returned to the previous question of how things can grow, providing the example of the oak trees being able to grow because the squirrels and blue jays bury their seeds so deeply in the ground. Harvey stated that the clay softens in the spring, making planting easier than it would otherwise be. Marc said that, yes, the ground softens, the trees drop their seeds early, and the soil structure must maintain a good air to water ration to make growth possible. He also added that when these conditions are met, clay can be remarkably productive.

Dan Baker asked if there were any remnant patches of old, original forest growth. Marc replied that, it had all been cut, grazed, or plowed at some point, leaving little, if any, original growth.

Bill Sayre asked about the types of oak trees that were found in these areas. Marc replied that there are swamp oaks, white oaks, red oaks, and burr oaks, which are very rare. Currently, he stated, oaks make up a very large component in the Clayplains forests.

Ed Payne expressed his skepticism that this project will receive enough support from the towns and landowners to keep it going. Marc replied that success will require involvement and action from those on a smaller level. Ed then related an instance in which a landowner's lot was checked over for similar purposes to this one. This land owner cut down all of his trees immediately to avoid being told that he couldn't use them. This is a prevalent attitude out there, according to Ed. Marc replied that there is absolutely no danger of anyone telling anyone else that they can't use anything that is on their own land. Ed replied that despite this reassurance, there is still that perception among rural landowners. Marc stated that all participation would be

completely voluntary. He stated that there are absolutely no laws which would empower him or any other group to state that someone can't log or build on their land for this reason.

Judy Kowalczyk clarified that Marc is trying to educate people to learn to live with the habitat wisely.

Kevin Behm pointed out that the desirability of building a home on the edge of this kind of habitat will be another challenge, for most planners attempt to put houses and buildings on the edge of the forest to hide it from plain view and avoid damaging the economic and aesthetic value of the land. Marc replied that slow deterioration will be the biggest threat, accelerated by homes increasingly encroaching on these lands, but that there are many different reasons why individuals and organizations may be interested in learning more about the effect their actions have on the environment surrounding them, the resources and information available to them, and others who share a similar interest.

Bill Sayre commented that the public conception will still exist, despite these efforts.

Karl Neuse stated that with the Act 250 criteria and various zoning regulations, individuals may call upon someone with Marc's expertise, information, and background to prevent an area from being developed for ulterior motives. Marc replied that many people have specific plans for their timber, and his goal is to help them to identify these plans while taking all aspects into consideration.

Harvey asked what it meant that the Champlain Valley is being identified as a separate eco-region. Marc replied that this is a nature conservancy term which identifies an area that contains its own unique attributes, differing from the areas surrounding it. These attributes include: climate, geology, glacial patterns, vegetation, and animals. Beyond this general definition, Marc stated that he is uncertain as to how they will go about this evaluation and redefinition of the Champlain Valley, as this kind of research has usually be conducted on unfragmented habitats in the past. As that is quite impossible here, Marc is not sure what the procedure will consist of.

Harvey asked if this research on the Champlain Valley eco-system would be conducted for ecological or developmental reasons, and Marc replied that the objective would be conservation: specifically, putting together a nature preserve. Harvey asked if this project is group driven by the nature conservancy, and Marc said that yes, that particular project would be conducted by a large, outside group. He identified this as another reason local education and awareness are so important, before these outside groups come in. The idea is to promote conservation, but with the realistic realization that nobody would economically support a huge return to forest land.

Bill Sayre asked if farming is detrimental to this kind of land, and Marc replied that it is not, and over 90% of the Clayplains ecosystem is currently farm land. Bill then asked Marc if he wished for a reclamation of the farmland to forest land. Marc replied that, no, this is not the goal. The idea is rather to protect and appreciate what we have. Bill asked what his personal, ideal vision was. Marc replied that this was not important, as the land being dealt with is not his. Rather, he hopes to assist the actual involved individuals to make educated land use decisions. Peter Grant and Judy Kowalczyk asserted that it isn't important what his personal view is, as he is attempting

to represent the broader community interest. Bill then asked if, to Marc's knowledge, any other groups were of the opinion that the farmland should be reforested and left alone. Marc replied that this is an agricultural community, and a call for the abandonment of farming would be ridiculous and unrealistic. Jim Peabody asked to let this issue rest at the present time.

Business Meeting

There is one new member present: Joanne Whitman from Leicester. There were no new additions to the agenda.

Approval of Minutes: 6/14/00

Amendment: Rick Good asked that the TAC report made on June 14 read as follows: "Rick Good reported that five proposals for the bike-ped study had been received and one was accepted. The report should be completed by September. Dan Baker announced that Vergennes, Ferrisburgh, and Panton would be getting together in September to talk about vehicle traffic in these areas."

Peter Grant moved to approve the minutes of the monthly meeting on June 14, 2000, with the above amendments. Ed Payne seconded the motion, and the motion passed unanimously.

Treasurer's Report

Willem not being in attendance, Adam distributed the treasurer's report. July 1st marked the beginning of a new fiscal year, and the commission is in good shape with higher balances in the moneymarket and Vanguard accounts than last year.

Peter Grant moved to accept the treasurer's report, and Thea Gaudette seconded the motion. The motion passed unanimously.

Thea asked Adam about the ACTR phone bill. Adam explained he had spoken with ACTR about paying the bill. He also explained that we still provided service to them because of a long

term contract we signed, the Commission's desire to avoid penalty fees and our desire to support ACTR. Rick commented that this should be something for the Executive Board to consider.

Committee Reports

Transportation Advisory Committee: Dan Baker reported that Dean Pierce made a presentation to the TAC. The committee approved the workplan and budget and reviewed RFP's for Middlebury multimodal proposal. Adam reported that the majority were interested in Stevens and Associates, and the commission has decided to go with them. Adam also commented that there was an editorial regarding the bike-ped plan in the Addison County Independent on Monday. Ed Payne commented that after Route 23 was finally widened, he still sees bikers in the middle of the road. Harvey replied that the situation is one hundred percent better than it was previously. Judy asked about scoping procedures. Dan replied that scoping is a way to gather a broad-based overview of issues that may come up in the course of a project. Judy asked how long it generally took, and Adam replied that it depended upon the project. Dan mentioned that one can always request the scoping report to review the issues the AOT found. Some of these reports can be found at the ACRPC office. Ed Payne commented that he hopes the TAC will focus upon roads and bridges before pursuing the proposals for things like Critter Crossings. Dan replied that proposals for bridges and culverts are easier to pass if it is apparent that the committee has been studying all of the issues. He expressed his disappointment that the committee would not be moving in that direction.

Local Government Committee: Thea announced that the Local Government Committee held a public hearing on the Leicester Town Plan and recommends the confirmation and approval of the Leicester Town Plan.

Bill Sayre moved to accept the committee recommendation regarding the Town of Leicester. Peter Grant seconded the motion. All approved, will Judy abstaining. The motion passed.

Act 250: Applications for the Middlebury College Ross Commons Cafeteria Project, the National Bank of Middlebury in Bristol, and a tennis club by Middlebury Fitness have been received. Adam will review them. Ed Payne asked about the outcome of the campaign to preserve the proposed bank building in Bristol. Adam replied that there is still an application pending, but that the general consensus is that the structure of the building has been altered too much to make it of any considerable historical value. The issue may come up again in a hearing, but the state Historic Preservation Society agrees with this analysis.

Joint Partners Report

Adam submitted the year-end report and the joint workplan, which was accepted by the Agency of Development and Community Affairs.

Delegate/Staff Recognition

Adam recognized Diane Meyerhoff, who has been working for the commission part-time for a couple of years and will now be leaving shortly. Diane helped various towns to write grants, she conducted the housing study, produced the newsletter, and assisted with the planning of the spring seminar series. The commission is very sorry to see her leave. Harvey asked if the commission would like to give her a thank you, and Adam agreed that this would be appropriate.

Rick Good moved that Adam be appointed to take care of Diane's thank-you for the commission. Judy seconded the motion, and the motion passed unanimously.

Adam commented that the position must now be filled. The commission will advertise in the papers and on websites. Adam will review the budget and talk to the Executive Board to determine whether or not to expand this position to full-time.

Old Business

Joint Partners Year End Report: Adam gave a synopsis of the work the staff did this past year and brought copies of their portion of the year-end report. Harvey asked that Joanne get a copy of this report.

Other: none

New Business

Project Impact Application and Update: Adam has a copy of the application, which designates \$300,000 for disaster preparedness. Addison County did not get this grant last year. This year, Southern Windsor is the only other applicant, so our chances look good. One of the projects which will be pursued if the commission receives this grant will be fire safety in downtown Bristol, including the installation of sprinkler systems. Rick Good asked if this grant included money for access, such as elevators for the handicapped. Adam replied that he did not know. Harvey asked if the money would be used to further implement the commission's plan, and Adam replied that, yes, projects such as culverts, streambank erosion, and flood control are a part of the commission's agenda and foreseeable disaster preparedness projects. Jim Peabody

suggested that the commission consider the possibility of trucking and transportation disasters in the planning as well. Harvey asked if the application was flexible or well-defined in its listing of possible projects. Adam replied that the application is extremely flexible.

Byways Update: Vergennes applied for a \$170,000 grant from the National Byways Program. They are number two on the list. With the money, the gateway plan would be implemented, including establishing a master plan for the city, creating a southern gateway over Otter Creek, removal of the unsightly chainlink fences, erecting street lights, and establishing recreational access to the river. These projects have been planned for awhile, and the receipt of this grant would make the physical implementation of these projects a reality. Harvey asked why Middlebury did not apply. Adam replied that Middlebury chose to concentrate their efforts elsewhere at present, but may apply in the fall. Rick asked about the possibility of Bristol being a part of the byways. Adam replied that nothing was being done about this by the ACRPC because the criteria for a byway corridor requires that there be some connection to Lake Champlain. Bill Sayre indicated that there wasn't enough support for this notion. Adam stated that Bristol did not qualify as a corridor, but that any towns on the lakeshore that are interested in this program should call. There must be some local initiative and interest established before the ACRPC can assist. Adam also announced that towns with confirmed plans can apply for municipal planning grants. \$55,000 have been set aside for Addison County, with a \$15,000 maximum per town. Leicester's plan was confirmed tonight and the town is therefore now eligible.

Other: none

Member's Concerns/Information

Comments from the Chair: none

Comments from the Delegates: none

Adjournment:

Thea Gaudette moved to adjourn the meeting. Judy seconded the motion, and the motion passed unanimously. The meeting was adjourned at 9:50 p.m.

Submitted by: Stacy Johnson