

Calais Conservation Commission Meeting Minutes
Town Office + Zoom
Wednesday, November 2, 2022 7:00 pm

Present: Stephanie Kaplan, Larry Bush, Neal Maker, Mark Brown (recorder), Julie Hand (via Zoom)

Absent: Tracy Sudhalter

1. **Fall Foliage Walk** - 10-15 people attended. Toni Kaeding led the walk and gave a good history of the area.
2. **Minutes** - Deferred approval of past minutes until next meeting
3. **Shade Tree Plan**
 - a. Neal presented. He met with Selectboard again with the request revisions. Dan Singleton was interested in more freedom for landowners, fewer trees named as shade trees. Some selectboard comments requesting a more clear process laid out for tree warden's actions. Neal explained that there had been a lot of discussion about how to identify shade trees and the result is the best compromise. Neal plans to make smaller edits and post the revised plan on Front Porch Forum (FPF) leading up to the next Selectboard meeting. Stephanie suggested that FPF posting invite the public to comment during December Conservation Commission (CC) meeting.
 - b. Separate but related, Ash trees: Selectboard member Rick Kehne requested review of the Ash tree plan. Consideration of East Montpelier being more proactive. Discussion of White Ash survival rate better than other kinds of ash trees. Concerns about cutting healthy trees versus concerns of trees falling in the road as they die. Consideration of returning to trees identified as hazard trees to review and possibly prioritize them. East Montpelier focusing less on specific dangerous trees and more on prioritization based on road traffic. Consideration of reviewing current Ash tree plans with the road crew.
4. **Shoreland Zoning**
 - a. Noreen updated from Planning Commission (PC) meeting. Overlay versus District not discussed. Depth of shoreland not discussed. Prior meetings did review depth of shoreland but returned to state rules on buffer.

- i. Overlay versus District: May end with similar rules, but more complex to consider overlay. Opposing view that overlay may preserve differing rules of rural residential, village center, etc. while adding overlay protections.
- ii. Consideration of which issues in overlay plan are most important to address
- iii. Recommendation that future PC meetings share the updated version of any document they're discussing **before** the meeting so that those participating know what is being discussed, possibly through a link on the PC agenda. Something we the Conservation Commission should do with our documents, as well.
- iv. Page 4, lawns, number 8: Fertilizers, pesticides, and herbicides being prohibited. More fitting in an ordinance or in zoning?
- v. Mowing of lawns will stop in 2025. Six foot wide mowing area will still be allowed.
- vi. (J) Shoreland Upland Zone Standards: Rewritten to say new development must comply not just with Shoreland Protection Act but other state and local standards.
 1. Concern that this statement should move to the beginning of the document so that it applies to everything in the document. PC accepted that idea in principle. Will review the updated language in next version to see implementation of this plan.
- vii. Section (F) Dimensional Standards: Concern that with 40% overall cutting allowed in a large property but no cutting allowed in the shoreland zone, then a proportion of the upland zone much larger than 40% would be cut. Also the concern that this might leave no ability to put any structure in the upland zone if it is a very small proportion of the overall property.
 1. Question of how many lots this concern would apply to. May not apply to any or many properties in Calais.
- viii. PC planning to review the latest version on 11/29 hoping to submit that to Selectboard sometime between the end of November or early December. Town would then need to wait 120 days to have a meeting.
- ix. Issue of temporary docks: Should be a limitation on the width of the structure that connects the dock with the land. 6

ft. Is this confusing in that it might seem to limit the dock over which the PC has no authority. Need to clarify this?

5. Curb Cuts

- a. Can Calais limit curb cuts based on environmental concerns? Yes, based on the following issues:
 - i. State laws saying regulations on curb cuts can be limited by municipal plans, including based on environmental concerns.
 - ii. Statute on municipal and regional planning has a lot about environmental protection, maintain and improve habitat blocks and connectors
- b. Check town and/or regional plan for support for the goals a curb cut limitation would support.
- c. Possible considerations. Commission members will review the issue and will return with possible language for curb cut regulations relating to that issue:
 - i. Slope-**Mark**
 - ii. Proximity to water bodies-**Neal**
 - iii. Trees cut-**Stephanie**
 - iv. Aesthetics-**Larry**
 - v. Wildlife crossings, vernal pools, wetlands, etc.-**Julie**
- d. Could curb cut regulations put conditions on driveway construction?
- e. What if someone wants a curb cut for a driveway from a road that is in the shoreland district. Under impending regulations, would this be prevented?

6. Public Comments - None

The CC adjourned the meeting at 9:00.