

Calais Conservation Commission Meeting Minutes

06/05/2024 – Calais Town Hall and Via Zoom

Present: In person: Chairman Larry Bush, Neal Maker, Walt Amses, Mark Brown, Paul Olander;
Via Zoom: Stephanie Kaplan, Claire Haskell;
Guests: Eric Sorenson, Izzy Parrish and Zeke Betit, Calais students representing U32's Green Team;
via Zoom: Melanie Kehne, Planning Commission member.

Proceedings:

Chairman Larry Bush called the meeting to order at 7:05 pm. There were no changes proposed for the agenda, just a few updates at the end of the meeting. The minutes from May 1, 2024 were approved as drafted. There was no public comment.

Town Plan

- **Planning Commission Update** - Melanie gave us an update on the Planning Commission's progress. Their work on the Plan is proceeding on schedule. Melanie anticipates her draft of the Natural Resources section will be ready for consideration by the PC by the end of September. She will be looking to pare the section down from its length in the current TP (26 pages), doing away with the plethora of "Action Items" and putting much of the detailed information into either an appendix to the TP or a separate referenced document, perhaps on the CC webpage of the Town website. Melanie reiterated her appreciation of anything the CC contributes toward those ends. She also noted that the PC Vision Statement, a recent copy of which was presented at the last Selectboard meeting, is a work in progress, and will not contain anything on Natural Resources until after the PC takes this section up in late September.

- **Conservation Commission Contribution to Town Plan** - The CC next turned to the primary focus of this meeting, the CC's contribution to Melanie's draft of the Natural Resources section. At our last meeting we had begun this discussion and when we adjourned Larry charged us to come up with our own thoughts about what should go into this new Town Plan and convey them to Neal and Claire for compilation as an aid to tonight's discussion. They did an excellent job, putting together an eloquent introductory section and organizing the various thoughts we submitted. Several people at the meeting remarked they want to live in a town with the vision for our relationship with our natural world that is described in that introduction. Mark noted that the Vision section was long on goals but not much about how to get there. Larry responded that much of the implementation actions would be covered in the balance of the NR section, but there could be some indication of those brought into the Vision section.

The balance of our meeting was taken up with going through Claire and Neal's summary, which is attached for reference rather than repeating it in these minutes.

Ecological Values- Larry walked us through the headings under this section; there was no comment on Core Habitat. In the Connectivity section Zeke commented that he is aware of a lot of road crossings that aren't on the current map and Larry responded that for a while now the CC has been trying to add to the list of crossings based on resident's knowledge.

For the Physical Landscape section Larry pointed out our calcareous soils due to the limestone bedrock that underlies much of Town, and the alluvial soils in the east side of Town, as being important because of the unique plant and animal communities these support. Eric added that slope, aspect, elevation, soil types and a host of other factors will all be important to conserve within our physical landscape in order to conserve communities and species that exist there we may not even know about now.

There was no discussion of the Aquatic Resources, Wetlands and Vernal Pools sections.

Under Grasslands and Shrublands, Larry noted our grasslands for the most part are our hayfields, and Eric noted that our riparian alder thickets are considered shrublands.

Under Natural Communities Larry noted these items need to be fleshed out either in the TP itself or an appendix. Neal noted that A250 requirement language must go into the TP. Eric suggested that this section could benefit from illustration of conservation measures by breaking out a few of the communities in our Calais Inventory and discussing specific actions to be taken.

Managed Lands- Larry noted this section is somewhat prescriptive but Stephanie pointed out that the language must be cleaned up with regard to the "will/shall/should" verbs to provide the legal framework necessary for the TP to be properly used in A250 cases. Eric asked if there is standard language that is more prescriptive as required by the *JAM Golf* Vermont Supreme Court decision.

Melanie noted that it is important to have clear standards in zoning to meet the Town Plan's Natural Resources goals, and CC input will be helpful at that stage as well.

Agricultural Lands – Zeke Betit introduced himself as a young farmer and urged that whatever the CC does in this area should take into account the viability of farming. He pointed out that many times environmental regulations have hit farming hard, noting that riparian and floodplain regs have had a negative impact on what they are able to do on their farm.

Extraction and Quarrying – Stephanie thought there had been an effort in the past to identify parcels with these resources; Neal said a map had indeed been created but wasn't sure what the Town wanted to do with this information.

Timber Management – no comments

Public Lands/Town Forests/Recreation - Larry noted that Calais has little in the way of public lands but there are the three Town Forests.

Neal's Map – overlays of habitat values, ag and forestry, and development. The Vermont Conservation Design document and the BioFinder4.0 database have been used in his map development. Melanie will follow up with Neal to learn more.

At this point there was general discussion of the tasks ahead in the "Action Steps". Eric pointed out that the current TP has guidance for each of the features in VCD and this is needed, perhaps to a greater extent now, in the new TP; the problem will be to condense this. And he added the problem, too, will be to figure out how we say "that's enough". This will be hard, he said, but warned "if we don't find a way to do this we'll end up looking like East Montpelier". This will be accomplished more in the social realm than the scientific, he acknowledged.

Stephanie brought out her concerns about single family home development, and the "nickel-and-dime" of the landscape into ever-smaller parcels via subdivision with only a Zoning Administrator review as to whether the parcel meets standards for frontage, setbacks, etc. She noted that one of the most effective ways to accomplish many of our goals would be to revise the definition of "subdivision" in the Calais zoning regulations to include all subdivisions regardless of size so that all parcels would require some sort of review by the DRB for their environmental impacts.

Melanie stated that what would be most helpful to her effort in drafting the NR section would be for the CC to prioritize the values – what is it most important that we protect? Then the question is how best to protect those resources. She noted we now have new zoning regs that protect shoreland and river corridor as separate overlay districts. We also have other natural resource protections in current zoning (e.g., riparian buffer requirements), what else is needed? The new mapping might result in new "overlay districts" or other changes needing new zoning approaches. She suggested that new mapping be based on the ANR maps, which can be updated by ANR without amending the Town Plan or zoning, and are available online to the public.

Larry ran through the Action Steps section but there was little time for comment or development of the topics.

Melanie noted that the item on a community housing trust is similar to a written comment made during the PC's Feb 18 listening session. She commented that there already is a housing trust serving Calais, called Downstreet Housing. The \$25K per year budget suggestion was modest and probably too small to accomplish the goal of increasing housing but could potentially be leveraged with grants and donations.

Paul suggested that the CC consider another meeting mid-month for the full group to further flesh out CC's contribution to the TP, given the amount of work needed to cover all the aspects of Natural Resources while paring down the length of the section. The group generally agreed and the next meeting of the CC was set for June 19 at 7 pm.

Larry set out our task as being to condense the 2021 TP additions in the Natural Resources section and the Vermont Conservation Design for the TP. Eric pointed out that the challenge will be in how to divide all the information between the TP and some appendix or referenced document. He suggested a similar treatment for each category of ecological values and management goals be taken: "this is what it is, this is how we can get there".

Updates -

-Beavers – the problem beaver dam constructed in the wetland on Kent Hill Rd. near the power substation will be visited by State F&W personnel with an eye toward addressing these "problem beavers" by the installation of a "beaver baffle" device, which causes the dam to leak in a location the beavers can't deal with. The baffle was successfully used in this location in the past.

-Invasives – Tracy held the first of her guided "Invasives Walks" Saturday May 11th. Larry joined and said Tracey's presentation was excellent but the program was poorly attended. Tracey is considering whether to go forward with future walks.

-Calais Lakes and Streams newsletter – has gone to print and should be out soon.

The meeting was adjourned at 9:10 pm.

Summary:

I. Intro: Vision

A. State Guidance

II. Ecological Values

A. Interior Forest Blocks

B. Connectivity Blocks/Riparian Connectivity (Road crossings?)

C. Physical Landscapes

D. Aquatic Resources (surface, groundwater, riparian areas)

E. Wetlands

F. Vernal Pools

G. Grasslands/shrublands

H. Natural Communities and Species Habitat

1. Young and Old Forests

2. Deer Wintering areas/softwood forests

3. Rare, threatened and endangered species

4. Non-native, invasive species

III. Managed Lands

A. Agricultural Lands

B. Extraction and Quarrying

C. Timber Management

D. Public Lands/Town Forests/Recreation

Neal's Map with overlay of above discussed resources

IV. Action Steps:

A. Landowner and Public Outreach

1. Education

2. Partnership

B. Research/Inventorying

C. Restoration Projects

D. Zoning and Regulations

I. Intro: Vision

Calais is a rural town blessed with forests, fields, lakes and ponds, streams, wetlands, and the myriad species that inhabit them. We recognize that we are a part of this rich ecological tapestry and enriched by it. We further recognize that the natural environment we depend on is threatened by the catastrophic effects of climate change and biodiversity loss. It is our imperative to actively protect and promote our natural environment and its ecological functioning, by preventing and reversing forest fragmentation, maintaining a diversity of high-quality natural habitats, managing the effects of invasive species, and learning to live in more sustainable ways. Part of that imperative is to provide for our own needs as much as possible by growing food

and forest products. Local agriculture and timber management reduce our reliance on goods produced through unsustainable and exploitative practices elsewhere, reducing the negative impacts of our consumption and connecting us more closely to the resources we rely on. We are grateful to live in a place that can simultaneously provide for us and for the other species that live here and we are committed to managing the land thoughtfully using a shared land ethic.

These overarching goals are consistent with an historic settlement pattern of compact villages surrounded by rural lands and natural areas. We envision a network of intact natural communities interconnected across town, which encompasses the most valuable interior, connecting, and responsibility habitats and riparian and terrestrial corridors, while protecting sensitive ecological conditions and populations of rare, threatened, and endangered species. Important wildlife road crossing areas will be maintained to preserve connectivity for animals and other species. Altogether, this 'core' network of conserved natural land should cover about 1/3 of the land in town. In addition to the core natural areas, the town's most productive farmland will be protected from development and managed for food production. Development will be concentrated as much as possible in areas that are well-suited to building and are not as agriculturally or ecologically valuable.

A. State Guidance:

The plans set out herein are guided by Vermont state policy and law, particularly the vision in the Vermont Conservation Design, which was developed in 2015-2018, and Act 59's goal of permanently conserving 30% of the land in Vermont by 2030. They also are informed by a natural resources inventory of Calais made in 2016-17.

- Description of VCD and Calais' means of being in line with these goals

- Implementing Act 59, the Community Resilience and Biodiversity Protection Act (2023), with a goal of permanently conserving 30% of Calais' total land area by 2030

Description of Act 59's purpose and goals, including this statutory language:

"Reaching 30 percent by 2030 and 50 percent by 2050 shall include a mix of ecological reserve areas, biodiversity conservation areas, and natural resource management areas 1 In order to support an ecologically functional and connected landscape with sustainable production of natural resources and recreational opportunities, the approximate percentages of each type of conservation category shall be guided by the principles of conservation science and the conservation targets within Vermont Conservation Design, prioritizing ecological reserve areas to protect highest priority natural communities and maintain or restore old forests." [Section 2802 (c), Act 59]

I. Ecological Values

A mix of wild preserves, managed ecological areas, and multiple-use working forests shall be conserved across Calais. Working forests should make up the bulk of the conserved land, and should be concentrated in more common 'matrix' natural communities. Preserves should occupy large interior habitat blocks with lots of ecologically sensitive areas and less common natural communities, adjacent to preserved land in other towns.

- A. -Interior Forest Blocks

- B. -Connectivity Blocks/Riparian Connectivity

 - Wildlife Road Crossings

- C. Physical Landscapes

- D. Aquatic Resources: Surface Waters/Riparian Areas... groundwater,

- E. -Wetlands—see Calais Natural Resources Inventory for more detailed mapping than that of the state.

- F. -Vernal pools (a unique and specific kind of wetland)

- G. -Grasslands and shrublands

H. Natural Communities and Species Habitat (is there a way to combine these two sections to keep it less technical and more practical? Like including in each section above, how they relate to and support these thing?)

1. Young and Old Forests--propose ways to raise the presence of these forest types to the VDC's recommended level: 3-5% of total acreage for young forests; 9% for old growth regeneration areas (called "ecological reserve areas" in Act 59).
2. -Deer Wintering Areas/ softwood forests
3. Rare, threatened and endangered species
4. -Dealing with non-native invasive species ?

II. Managed Lands

Access for agriculture and forestry shall be maintained, and the town should foster a culture that values and respects working lands and workers. Rural industry should be encouraged and interwoven into the community.

Farm, forest, and homestead management should be forward-thinking, sustainable, and ecologically minded. Soils and waters shall be protected, along with wild plant and animal populations. Provisions shall be made for rare, threatened and endangered species. Vegetated buffers shall be used whenever possible to protect surface waters from pollution and sedimentation. Soil compaction and erosion shall be minimized. Herbicides and pesticides should be used judiciously. Native plants should be grown to support pollinators and other invertebrates. A variety of habitats shall be maintained across town to encourage biodiversity based on the best available science. Invasive and problematic species should be addressed with integrated pest management, with a focus on maintaining healthy, complex ecosystems.

A. Agricultural Lands

The most productive agricultural land in town shall kept in agricultural use, or at least in a condition where it could be brought back into production in the future.

B. Extraction and Quarrying

What is the town's goal related to sand and gravel resources? Should areas with sand and gravel deposits be conserved alongside ecological and agricultural conservation areas? Should the town actively identify parcels with sand and gravel deposits for fee-simple purchase? Should there be a special zoning district that calls those areas out for quarrying and makes it easy?

C. Timber Management

Productive, accessible woodlots should be conserved as working forests, particularly when they are composed mostly of matrix (common) natural communities, to protect forest products industry infrastructure and thus the livelihoods of loggers, foresters, truckers, sawyers and the economic benefits from sustainably harvested wood products.

D. Public Lands/ Town Forests/ Recreation

Brief conclusion with Neal's map to detail the overlay of these resources and the habitats they support

III. Action Steps/Goals: 30x30 (THESE ARE IDEAS TO DISCUSS)

A. Landowner and Public Education and Outreach

1. Education: buffers, best practices, regulations, etc.

Write a guide for property owners that gives recommendations about how to care for their land to promote biodiversity, carbon sequestration, and healthy ecosystems, with some

concrete steps they could take. It would be like the guide for shoreland owners that the Lakes and Streams Committee had, and we could give a copy to every landowner. It would be a nice-looking, color booklet with pretty pictures, that people would want to keep around and reference.

2. Partnership: easements, incentives, etc.

Create a voluntary stewardship program that promotes conservation practices on private land. Landowners could join the program by committing to a set of scientifically-backed principals/aspirations about how they use their land (eg. protecting wetlands, promoting pollinators, maintaining and increasing forest carbon). We could put together conservation recommendations for them (eg. maintain forested buffers, plant wildflowers, grow old and diverse forests) and maintain a website that would tout their good work and draw in other people. Landowners in the program could get a pretty sign to put up, which would pat them on the back and increase awareness. Participants would form a 'base' of engaged residents that we could tap for volunteer opportunities, and maybe conservation projects could form around their shared interests. Big-picture, the goal would be to generate energy around ecological conservation and create a visible culture of stewardship. If it was successful, maybe it would spread to other towns too.

3. Explore ideas about how to promote community self-sufficiency/resource sharing/localized economy, to use our natural/human resources to make a more vibrant, socially just community and reduce our dependence on fossil fuels. Maybe the transition town movement (<https://transitionnetwork.org/>) is worth exploring in that regard.

B. Research/Inventorying

1. Locate land trusts that will conserve tracts of varying size in Calais.

C. Restoration Projections

1. Invasive interventions

TP should envision a town working to become free of invasives, as much as possible, and call for community invasives eradication efforts by landowners with assistance of CC – phragms, knotweed, iris, loosestrife, etc.

2. ?....

D. Zoning and Regulations

1. Define a new 'conservation priority' zoning district, in which development cannot occur without a DRB-approved variance (with the exception of agricultural and forestry-related development). The area's boundaries would be determined by overlaying maps of ecological conservation priority areas, agricultural conservation priority areas, and areas with high development potential. In general, it would include the highest priority habitat blocks shrunk somewhat to allow for development along many roads, prime agricultural areas, and important wildlife and riparian corridors and road crossing areas. It could be a zoning overlay district, and might preclude the need for the existing resource recreation and highland overlay districts. The district boundaries might need to be adjusted to make sure development potential was not completely eliminated on any given parcel. (It would be unfair if someone bought land to build a house and was suddenly left with no way to build.)

2. Offer 'opt-in' zoning, where landowners could choose to abide by new zoning rules on their property that prohibited development further from roads inside habitat blocks (or in

conservation priority areas as described above), and allowed greater development flexibility closer to the road in exchange. New zoning would follow the property (new owners couldn't revert to the old rules) and there might need to be some agreement that kept the town from changing the new zoning for some period of time. Weird and a bit complicated to implement, but appealing to have landowner buy-in. Worth fleshing this idea out some?

3. In Priority and High Priority Conservation zones TP should prohibit new construction more than 300 feet from the TH to limit incursions into core habitat.
4. Think CC should work with Neal on a detailed version of his map, identifying critical habitat, connections, other ESTAs; showing High Priority and Priority Conservation zones and Priority Development zones that will be codified into zoning regs – groundwork needed to supplement Biofinder4 and Calais Inventories In order to stop the “nickel and diming” development of parcels into ever-smaller pieces, do away with “major” and “minor” subdivision distinction and instead automatically require DRB review of any subdivision in Priority and High Priority Conservation zones, and only require ZA review of subdivisions proposed for the identified “Development” zones.
5. TP should call for an incentive program (tax reduction? assistance with conservation costs?, etc.) for landowners to put current use into conservation with higher incentives in High Priority and Priority Conservation blocks – and for landowners to develop housing in Priority Development zones close to “village centers” (NC?) near paved or main connectors, with suitable slopes and soils.
6. TP should create an effort to identify and preserve favorite vistas (when driving home, what view is your especial favorite?)
7. Highly productive woodlots should also be priority for conservation, to protect forest products industry infrastructure and thus the livelihoods of loggers, foresters, truckers, sawyers and the economic benefits from sustainably harvested wood products.

Regulatory Guidance

Need specific legal language for Act 250 and PSB. Could be in a separate section, woven into the text in the main body, or some combination. Last plan had a combination, with ‘shall’s in the text where applicable and a separate Regulatory Guidance section with a handful of points that just applied to Act 250 and PSB projects.

Housing thoughts (PROBABLY NOT IN NATURAL RESOURCES SECTION, SHARE IDEAS W/ PC):

Create a Calais Community Housing Trust established and administered in cooperation by MCCT, ECCT, Adamant Community Club or a separate Board, with an annual SB appropriation of \$25,000. The Trust would receive donations, pursue grant funding, etc. for the purpose of obtaining land that could be developed in partnership with a contractor, or houses that could be improved and resold, while the Town retains ownership of the land thus making these homes “more affordable”.