

TOWN OF WARREN
PLANNING COMMISSION
MINUTES OF MEETING
MONDAY MARCH 8, 2010

- Members Present: Mike Ketchel, Jim Sanford, Lisa Miserendino, Don LaHaye, Craig Klofach and Dan Raddock.
- Others Present: Jens Hilke, Damon Reed, Susan Hemmeter, Caitrin Noel, Jamey Fidel, Brian Shupe, Miron Malboeuf and Ruth Robbins.
- Agenda: Call meeting to order, 7:30 pm.
1. Warren Conservation Commission, Brian Shupe, & Jamey Fidel (VNRC) and Jens Hilke, Vermont Fish and Wildlife.
 2. CVRPC – Re-adoption of 2007 Town Plan
 3. Other business:
 - a. Election of officers for the coming year

Mr. Ketchel called the meeting to order at 7:40 pm.

The Conservation Commission had requested to come before the Planning Commission to share some suggestions they have for inclusion in the Town Plan. These proposed changes would incorporate information gathered by Arrowwood Environmental during their 2008 Natural Heritage Element Inventory as well as other forest and wildlife information provided by the Vermont Natural Resources Council [VNRC].

Jens Hilke, Community Wildlife Program Conservation Planning biologist with the VT Fish and Wildlife, complimented the town for hiring Arrowwood to do the inventory assessment. He said that few towns in the state have such information and that it was good that Warren knew what they had and where their blocks of habitat were located. He continued to state that with the knowledge of knowing where the wildlife was located comes the responsibility of preserving that habitat and directing development in a conscientious manner.

Jamey Fidel, Forest and Biodiversity Program Director of the VT Natural Resources Council [VNRC], commented that the Arrowwood maps and report held a lot of data that needed to be brought into terms that the lay person could understand. He continued to state that one of their challenges at VNRC was how to make the scientific information relevant to the planning process and zoning standards if one wanted to go that far. Mr. Fidel said that this was especially important in light of the JAM Golf VT Supreme court decision in So. Burlington where the court said the zoning ordinance was not specific enough as to the protection of natural resources and therefore could not be enforced. Mr. Fidel also stated that Warren was on a "slippery slope" as to their protection of wildlife habitat. He said one place to start was to make sure they had a good definition of "significant wildlife habitat" and to try to use the best available science. To that end, Mr. Fidel said that the Arrowwood data would certainly meet that criteria.

Mr. Malboeuf said that though JAM Golf may be the "elephant in the room", that the probability of a major subdivision was not likely as most large parcels had either been developed, were conserved, meadowland or part of the US Forest Service. He added that the town was even challenged in finding locations for affordable housing.

Brian Shupe, Sustainable Community Program Director at VNRC pointed out to the Commission that in setting the "policy blueprint" with the Town Plan that in 2011 they would have to make sure that the Land Use Regulations were in conformance with what the Town Plan called for as the last of the Chapter 117 reforms. He also noted that the Arrowwood maps were only a "red flag" that additional review at the site level most likely always be needed and recommended. Though

the Arrowwood information was very good, its presentation of the information could be confusing and they were attempting to put the information into better context. Mr. Shupe then spent some time briefly going over the suggested changes the Conservation Commission was proposing for the Town Plan in Chapter 3 and Chapter 10 and definitions for the Land Use Development Regulations under Article 10.

In general he said that they attempted to be specific about describing habitat protection and did so in three ways: land management, land conservation and land use development. Adverse impact on certain resources should be avoided as well as staying away from the fragmentation of forest lands. One key change in the Land Use Regulations that Mr. Shupe mentioned was the suggestion of taking "critical wildlife habitat" from the Secondary Conservation Area designation and making it a Primary Conservation Area item so that areas like deer wintering areas become pretty much off limits to any development.

When asked if they were working with the other towns in the valley, the response was that they were doing some work in Fayston and that Waitsfield had already made some improvements. They also said they were not pushing for a wildlife overlay district as Warren already sort of has a "de-facto" overlay within their regulations. It was noted that should any of their suggestions be adopted that it could mean more time spent on site visits for development applications and additional costs for the employment of wildlife professionals.

Mr. Fidel noted that conservation biology planning was far enough along to be able to state that it was important not to unduly fragment the larger forest areas that currently exist. Therefore, minimizing and clustering any housing development just made good sense and knowing that would not necessarily call for more site visits. It can be as simple as keeping any development at the fringe of forested areas and not taking a two mile drive right up the middle of that area. Mr. Fidel also suggested looking at a tiered system that prioritizes certain habitats and species.

Mr. Ketchel commented that protecting our natural resources was a good thing however, it has to be balanced with the task of providing housing, a requirement deemed by the region and the state to be included in the update of the Town Plan. Mr. Sanford asked if in summary it would be correct to say that what they were recommending were changes that if adopted would help us avoid a challenge like that of JAM Golf. Mr. Shupe said that that was in part true, but that with new information and science regarding wildlife and its preservation, that these were sound suggestions even on their own.

Mr. Ketchel said that the Commission would review the proposed changes in more detail before taking a position. Mr. Shupe, Mr. Fidel and Mr. Hilke all offered to be available should the PC have any questions.

In other business the PC voted a motion by Mr. Sanford to continue with the same leadership as exists currently: Mr. Ketchel, Chairman, Mr. Sanford, Vice Chairman and Ms. Robbins, Secretary for the coming year, which was seconded by Mr. LaHaye and was unanimously approved. Mr. Sanford also made a plea to send a message to the Select Board that they needed to have a representative at the Screening Committee for the MRVPC. It was also noted that a replacement was needed for a representative to the Northern VT Resource Conservation and Development Council as Mary Gow had retired from that board.

Mr. Ketchel adjourned the meeting at 9:50 pm. The next meeting of the Warren Planning Commission is scheduled for Monday March 22, 2010 at 7:30 pm.

Respectfully Submitted,

Ruth V. Robbins
DRB/PC Assistant

Planning Commission

[Signature] 3/22/10
Mike Ketchel date

[Signature] 3/22/10
Craig Klofach date

Lisa Miserendino date

[Signature] 3/22/10
Jim Sanford date

[Signature] 3/22/10
Don LaHaye date

[Signature] 3/24/10
Dan Raddock date

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TOWN CLERK