

TOWN OF MIDDLEBURY CONSERVATION COMMISSION

Monday, February 21, 2022

12:00–1:30 PM

No-In Person Location: Virtual Only

MINUTES

Approved on March 28, 2022

In attendance: A. L’Roe, C. Harden, A. Sheldon, C. Tate, C. Brooks, M. Anderson, J. Howarth

A. L’Roe called the meeting to order at 12:00.

Citizen Comments: None

Approval of minutes ([October 2021](#), [January 2022](#))

We approved the minutes as amended for the October and January meetings (meetings in November and January did not have a quorum and the CC did not meet in December). For October minutes, A. Sheldon moved to approve, C. Brooks seconded; for January minutes, C. Tate moved to approve, C. Brooks seconded. Approval of minutes for both meetings was unanimous.

As a follow-up, A. L’Roe noted that, as discussed at the January meeting, he did send a letter from the CC in support of the VT Land Trust/Butler Conservation easement proposals, which were subsequently funded by the Selectboard.

Letter of Support for Shade Tree Policy: A. L’Roe had drafted and circulated a letter in support of the shade tree protection policy. C. Brooks moved, C. Tate seconded, and the CC unanimously agreed to accept the letter and go ahead and send it.

Energy siting restrictions/preferred area proposal

A. L’Roe commented on the recent release of the draft CEAC climate action plan, for which CEAC will hold public information sessions in coming days. He noted that the plan’s goal of

60% non-GHG-producing locally generated energy exceeds the values we had been considering in our discussion of solar panel siting. The discussion of energy siting focused on these points:

§ The CEAC plan is for the entire county. A goal of 60% locally generated energy does not mean that all parts of the county will be equally involved in energy generation. Middlebury provides services to the county and its denser development allows residents to use less motorized transportation. It is appropriate for decisions about how to apportion fair shares of energy production among towns to be made at the county level. Given Middlebury's roofs and parking lots, limited green space, and need for housing, the CC will argue against developing new greenfield sites in Middlebury for solar power generation.

§ The CC will continue to identify and map constraints to solar farm developments, focusing on places where such projects should NOT be sited. CC members concurred that roofs and parking lots should be the Town's preferred sites for solar energy production. Rural/industrial locations in the county would be more suitable than greenfields in Middlebury. Line capacity has been a concern for solar project siting but CC members agreed that the need for non-GHG energy generation calls for investment in infrastructure – not simply to put solar farms in places with existing capacity but to thoughtfully plan for housing, agriculture, conservation, recreation, and viewsheds/tourism and build increased line capacity in places best suited for energy generation.

§ Based on current consumption, Middlebury is estimated to have the ability to produce nearly 75% of its electricity from solar arrays on roofs, parking lots, and bare lands. We expect the CC position on energy siting to become part of the Town Plan. It will be important to use clear language, consistent with that used by the State. Working with the Planning Commission to identify/define constraints should facilitate acceptance of the energy siting plan and inclusion of it in the Town Plan.

§ A sub-committee (C. Brooks, A. Sheldon, J. Howarth, C. Harden) will draft language for energy siting this spring. As a starting point A. L'Roe suggested using the enhanced energy plan he submitted to the Energy Committee. In addition, we will consider wildlife habitat concerns. A. L'Roe will contact J. Murray to ascertain the status of habitat mapping done as part of the Arrowwood contract (now in its 5th year).

Next steps and timeline for Middlebury Conservation Plan

A. L'Roe presented slides with **Act 171-Forest Block requirements:**

(2) A land use plan, which shall consist of **a map and statement of present and prospective land uses**, that:

(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. §8), residence, commerce, industry, public and semi-public uses, and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection; **for the maintenance of forest blocks, wildlife habitat, and habitat connectors**; or for other conservation purposes.

(D) Indicates those areas that are **important as forest blocks and habitat connectors** and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality.

(Information from, The Vermont Statutes Online

<https://legislature.vermont.gov/statutes/section/24/117/04382>

Title 24 : Municipal And County Government

Chapter 117 : Municipal And Regional Planning And Development

Subchapter 005 : Municipal Development Plan

§4382. The plan for a municipality)

What will the Conservation Plan look like?

A. L'Roe will put some examples from other towns into the CC Google folder.

The CC would prefer to do one comprehensive Conservation Plan, but to best meet the needs of the Planning Committee and Town Plan, we will also separate out Energy siting and Forest Blocks and Habitat Connectors. J. Howarth pointed out that riverine corridors are even more important in the Champlain Valley than forest blocks because they form an underlying network that allows wildlife to move between the mountains and the lake.

The current draft has a set of goals (currently available by following links in the Conservation Atlas). Before the next CC meeting, we will each review the goals and use the comment form to identify any that might be missing.

Comment form:

https://docs.google.com/document/d/1wGezdDuzadQXHDmj48UbCxp-_A6oLkLT/edit?usp=sharing&oid=114738762846818938369&rtpof=true&sd=true

Draft Conservation Plan: <https://conservation-plan.github.io/middlebury-vermont/>

Interactive Conservation Atlas:

<https://jhowarth.users.earthengine.app/view/conservation-atlas-middlebury-vt>

In the discussion of the Conservation Plan, M. Anderson commented that, so far, the only wildlife named are deer and bats. C. Brooks asked about the locations of old forest stands; J. Howarth replied that a map layer showing forest age is in the works. We will define natural communities based on history and soils as well as current state.

CC members agreed that the Conservation Plan should be part of the Town Plan. The 2014 Conservation Plan produced by A. Sheldon and students was not adopted by the Town and would have been a useful addition and resource.

Although the Conservation Atlas is digital and can be updated with new data, Commission Members agreed that maps and text used in the Conservation Plan/Town Plan should be static to be officially adopted and avoid confusion. The Conservation Atlas should continue to be updated, but newer versions would require action to become official.

Next meeting: Monday, March 21, 2022