



## SOUTH BURLINGTON LAND TRUST

Preserving South Burlington, Vermont's natural and cultural land heritage

### **Position statement in support of maintaining the current zoning and land use on the Edlund South tract**

The South Burlington Land Trust respectfully submits a summary of the attendant challenges with the proposed developments associated with the University of Vermont's provisional sale of the Edlund tract to the Eastern Development Corporation (Figure 1). As you are aware, the University of Vermont's RFP for proposals for development of the Edlund and Martin tracts included language stating: *"To address the need to develop additional housing in Chittenden County, UVM is seeking to sell the Property for a residential development project"* and that *"A revision to the current zoning of the Edlund South Tract will be necessary to accommodate reasonable residential density (comparable to that of nearby properties)."*

The South Burlington Land Trust strongly believes that the development of these parcels represents a significant departure from the South Burlington Comprehensive Plan (SBCP) and would set a dangerous precedent for how the city makes zoning decisions. As the development of the SBCP included input from citizens, city officials, regional entities and the business community, an arbitrary change to the zoning is clearly in conflict with many of the objectives of the SBCP, and would be an affront to public trust. Below we describe issues with the proposed development, focused around three general themes: misalignment with the SBCP, environmental issues, and infrastructure concerns.

#### **Misalignment with SBCP and Land Development Regulations**

One of the key tenets of the SBCP is *Green & Clean* such that the city *"Promote(s) conservation of identified important natural areas, open spaces, aquatic resources, air quality, arable land and other agricultural resources, historic sites and structures, and recreational assets."* The Edlund tract is specifically noted in the SBCP: *"this site is an example of Pleistocene 'fossil' sand dunes, associated with the Champlain Sea about 10,000 to 12,000 years ago"* and noted by the *"VNRC...that this site is in need of physical management to maintain its unique state. This sand dune field exists in a sensitive and fragile form within an urban environment."* The SBCP goes on to state that *"it is the City's desire that the properties continue to be used for educational, research and agricultural purposes. These lands are well suited to an educational emphasis due [to] their proximity to the main campus of the University of Vermont."*

The Edlund tract is currently zoned as "Institutional and Agricultural" which "provide(s) for the educational, conservation, research and agricultural operations of the University of Vermont on its properties within South Burlington. It is the further purpose of the Institutional and Agricultural District to provide for the integration of University-related uses into the City's overall land use pattern through the use of appropriate site planning techniques that promote a beneficial pattern of access, circulation, landscaping, and pedestrian connections between University properties and adjacent neighborhoods." Consequently, alteration of the current zoning amounts to "spot-zoning" and is in direct conflict with the SBCP and the city's Land Development Regulations.

## Environmental concerns with the potential development

Development of the Edlund tract runs counter to a number of objectives in the SBCP:

- Objective 23. Achieve a reduction of 20% in carbon dioxide-equivalent emissions from 2009 levels by 2020 through an increase in renewable energy production and reductions in energy use in the following sectors: transportation, commercial/industrial, residential, municipal/school.
  - Although development anywhere in the city will increase emissions from the transportation sector, traffic congestion near the Swift-Spear intersection will increase the amount of time that cars are idling, leading to a disproportionate increase in emissions from vehicles. With the conversion of forest to housing, the capacity for carbon sequestration will also be reduced.
- Objective 25. Reduce the number and forms of impairments of waterways in South Burlington by 2033.
  - An increase in impervious surfaces adjacent to Potash Brook will increase runoff of sediment, salt, and other substances produced by the housing development. Because Potash Brook is already classified as 'impaired,' there is a clear disconnect between these objectives of the SBCP and the development of the Edlund tract.
- Objective 26. Protect and improve watershed, stream, and wetland system natural processes, specifically for stormwater treatment, riparian and aquatic habitat, and floodplain and river corridor protection.
  - The proposed housing development will further damage already impaired waterways (see Objective 25).
- Objective 27. Include mapped river corridors (fluvial erosion hazard areas, floodplains, and riparian areas) within designated open space areas intended for hazard mitigation, resource conservation and compatible forms of passive outdoor recreation.
  - Development of the Edlund tract clearly runs counter to this objective (see Objective 25).
- Objective 29. Maintain a wastewater allocation system that reflects the land use goals of the Comprehensive Plan.
  - As noted above, development of the Edlund tract does not reflect the land use goals of the SBCP. Rather, the development will add more wastewater to the city's limited wastewater capacity; and could jeopardize—or possibly stop-- future planned developments, such as city center.
- Objective 30. Proactively plan for a network of interconnected and contiguous open spaces to conserve and accommodate ecological resources, active and passive recreation land, civic spaces, scenic views and vistas, forests and productive farmland and primary agricultural soils.
  - Development of the Edlund tract runs counter to all of these goals, and would continue to fragment this part of South Burlington. The Potash Brook riparian zone is a corridor for wildlife movement and its proximity to the East Woods Natural Area creates a relatively large forested block that helps conserve ecological and geological resources.
- Objective 31. Conserve, restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife

resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

- Additional fragmentation of the parcels between Swift St. and I-189 will increase wildlife traffic mortality, increase edge effects (such as the spread of invasive plants), increase disturbance to wildlife through the creation of ad hoc trail systems, and lead to an overall decrease in biodiversity.

**Infrastructure concerns around the proposed development**

- Objective 17. Provide a transportation network that complies with Complete Street mandates and maximizes efficiency and safety for all types of users (pedestrians, cyclists, transit, automobiles, trucks, rail, and air).
  - Development of the Edlund tract will increase traffic congestion in one of the most challenged intersections in the city (Swift and Spear streets).
- Objective 18. Connect neighborhoods with one another via road segments and with commercial areas for local, slow speed circulation.
  - Development of the Edlund tract will essentially be a stand alone development that will neither connect to commercial areas nor to other neighborhoods.
- Objective 19. Provide a transportation network that is supportive of and integrated into the adjacent land uses and that is designed to minimize fragmentation of and adverse impacts to identified natural, cultural, scenic and other open space resources.
  - As noted above, additional impervious surfaces in the Potash Brook watershed will increase runoff into this already impaired water body. Development of the Edlund tract will fragment a relatively large parcel of core forest.
- Objective 21. Seek alternative traffic congestion relief measures before existing roadway segments are expanded.
  - Although we know of no plans to expand Swift or Spear Streets, expansion of either would be expensive, especially Spear St., which is spatially limited by the I-189 underpass. With additional development planned further south on Spear St., the cumulative effects of additional traffic from development of the Edlund tract would clearly run counter to this objective.
    - The chart below from the SBCP specifically mentions the existing problem with the Spear Street/Swift Street intersection, and calls for improvement. The proposed housing development would make the existing problem far worse by adding more traffic at this intersection.

**9. Spear Street / Swift Street Intersection Improvements**

Summary	Complete improvements to the Swift-Spear intersection.
Purpose	To improve pedestrian, cyclist, and vehicular safety at this intersection.
Potential Impacts	Some realignment of this offset intersection would be needed. Possible acquisition of private land may be needed for some alternatives.
Completed Studies	Spear Street Corridor Study (2004)

- Objective 39. The majority of all new development will occur within the Shelburne Road, Williston Road, and Kennedy Drive Corridors, and other areas within the Transit service area
  - This location is far from the areas in which the City wants development.

- Objective 40. Prioritize development that occurs within the community into the higher intensity areas identified within this Plan.
  - Given that the Edlund tract is not zoned for development, there is a clear disconnect between this proposed development and the SBCP.

### **Summary**

Development of the Edlund South tract is in opposition to numerous goals and tenets of the SBCP as well as the Land Development Regulations (LDRs). The proposed development will result in environmental damage/destruction to a number of significant natural resources including water quality, wildlife habitat, and loss of some of the ancillary benefits associated with forest conservation (e.g., carbon sequestration). Additionally, the proposed development will negatively impact the city's infrastructure by demanding city services to address the additional traffic, repair and rework intersections and roadways, increase wastewater capacity, etc.

Lastly, this arbitrary exception to the LDRs, especially one that is clearly in opposition to so many of the community's stated objectives within the SBCP, represents a dangerous precedent that could be used by others seeking to alter or subvert current zoning policy. Moreover, the city needs to take into account the cumulative effects of other developments along Spear St in conjunction with this proposed development. The development of these acres is not an isolated proposal. The multiple developments occurring throughout the rural areas of the city are quickly eliminating the natural resources that are vital to the quality of life for South Burlington residents.



UNIVERSITY OF VERMONT  
Edlund South/Martin Tracts Location Map

Map Produced by UVM Campus Planning Services  
2013 CCRPC Orthophotography, Fugro Earthdata, Inc.



Figure 1. Location of the Edlund South tract and Martin tracts in South Burlington.