

Vermont Environmental Report

PUBLISHED MONTHLY BY THE VERMONT NATURAL RESOURCES COUNCIL, A NON-PROFIT CITIZENS' CONSERVATION ORGANIZATION, SUPPORTED BY MEMBERSHIP DUES AND CONTRIBUTIONS. VNRC, 26 STATE STREET, MONTPELIER, VERMONT, 05602. (802) 223-2328. CHAIRMAN: DAVID R. MARVIN; EXECUTIVE DIRECTOR: SEWARD WEBER; EDITOR: NAT FROTHINGHAM.

1977 VNRC Annual Meeting.

Day-Long Event to Feature Field Trips - Guest Speaker James Craig & Slide Tape

This year's VNRC Annual Meeting, set for Saturday, September 10th, will feature a morning program of field trips and a discussion group in the Stowe area, followed by a noon luncheon, a tribute to former Governor and U.S. Senator George D. Aiken, a talk by guest speaker, James Craig, a business meeting, and the presentation of Robert Klein's slide-tape, entitled, "Natural Areas: Saving a Precious Resource."

The site for the 12 noon luncheon and meeting is the new Touring Center of the Trapp Family Lodge in Stowe.

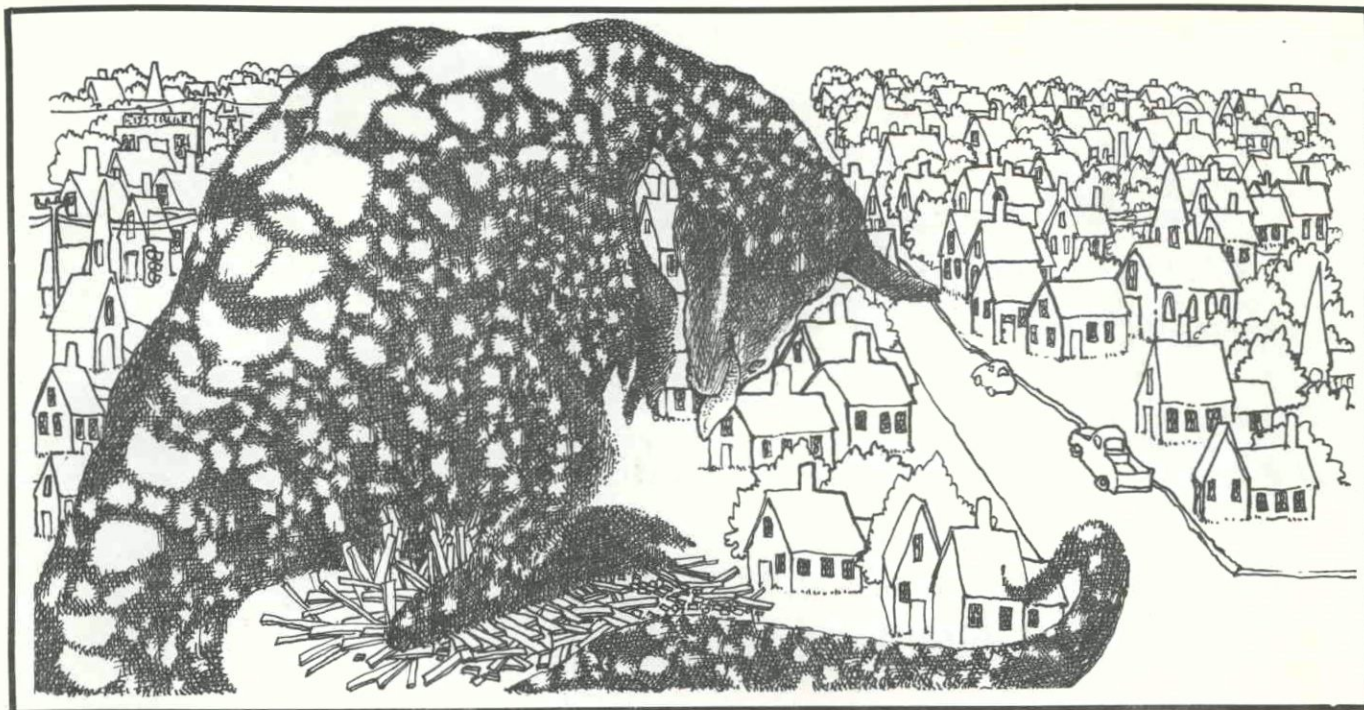
The field trips and the discussion group will take place at several locations in and around Stowe. Seward Weber, VNRC's Executive Director, has underscored the need to register in advance for participation in the morning field trips and the discussion group. These field trips and the discussion group will start promptly. Participants should plan to arrive at the specified meeting place early. A description of each trip and the discussion group will be found elsewhere in the pages of this issue of the VER.

At noon, members and guests will gather at the Touring Center of the Trapp Family Lodge, for lunch, the program and the business meeting.

VNRC will be welcoming two distinguished guests, former Senator George Aiken, who will be honored for his many years of important work in behalf of the State's environment, and James Craig, Editor of **American Forests**, the monthly publication of the American Forestry Association.

Mr. Craig will be the Annual Meeting luncheon speaker. He will discuss the environmental movement as he has seen it develop during his 27-year editorship in a talk entitled, "A Reporter Looks at Conservation." Executive Director, Seward Weber has observed, "It is fitting that Mr. Craig should be speaking to the VNRC membership at this time since the September issue of **American Forests** will be devoted entirely to a discussion of forestry and related issues in the State of Vermont."

The annual business meeting of the Council will follow the luncheon program. The agenda for this meeting includes the election of Directors, a review of the year's activities, and consideration of a dues increase. Finally, there will be a presentation of VNRC's widely-praised slide-tape on Vermont's natural areas. This 27-minute production has been shown to audiences all across Vermont and on Vermont ETV since its release in January, 1977. The Annual Meeting will adjourn by 4:00 p.m.



PYRAMID MALL: The State Is Under Pressure

The struggle for and against a Pyramid Mall in Williston, a proposal to build a shopping mall under 12 acres of roof at the intersection of Routes 2 and 2A off Exit 12 of Interstate 89, is moving into the Act 250 process. The first full-blown hearing before the District No. 4 Environmental Commission was scheduled to take place on Thursday, August 25. Already the State of Vermont has petitioned for a delay. The hearing process promises to be long and arduous. Whether it will be closely fought is still a question.

Legal observers close to the scene of action are saying that hearings before the District Environmental Commission could last six months, perhaps longer. And these hearings are likely to be only the beginning.

The District Commission will have to examine the proposal from the Pyramid Companies. Then the Commission will have to listen to evidence pro and con submitted by parties to the hearing process under the ten criteria of Act 250. These criteria include such concerns as air and water quality, sewage disposal, soil erosion, impacts on roads, schools, municipal services of all kinds, the preservation of primary agricultural soils, energy conservation and the costs of scattered development.

If Pyramid should win approval from the District Environmental Commission the case will almost certainly be appealed by opponents to the State Environmental Board. Conversely, if the Pyramid proposal is struck down at the District Commission level, it seems a near certainty that the developers will appeal.

Regardless of what happens at the District Commission level, -- the opposing parties are digging in for a long fight. Pyramid has demonstrated its willingness to stay the course in a long legal battle before. In a fight to build a shopping mall in Ithaca, the Pyramid Companies took their application all the way to the New York Supreme Court, and won. Opponents of the Mall are rallying behind a legal effort that is being organized by three anti-Mall Selectmen from Williston. These Selectmen have instituted a "Williston Defense Fund" and are planning to try and raise as much as \$30,000 to \$40,000 to pay for legal costs.

As the Pyramid case heads toward its first encounter with Act 250 review on August 25, there is a betting mood in the air, with closed-door conferences, guarded strategies and the buzz of rumor.

Chief among the speculations rife in Montpelier, Williston and Chittenden County are questions that are being raised about the intentions of the State of Vermont.

People are asking, "Will the State conduct a thorough review of the Pyramid application?" "Will the State spend the time and money, and gather the expert testimony that will be needed to mount an effective presentation?"

Gov. Snelling and Administration officials have repeatedly insisted that the State will be both objective

and hardhitting in its review of the Pyramid application.

The difficulty is in verifying these assertions.

In a legal proceeding, it is understandable for attorneys to wish to gather evidence, secure expert testimony, and prepare a case, outside of the glare of public attention, so that they can avoid "tipping their hand" to their legal adversaries. The problem is to protect the strategy of the case that the State will present, while at the same time satisfying suspicions, and these suspicions exist.

People who are opposed to the Pyramid project are suspicious of the State's intentions.

Tim Maker, Chairman of the newly-formed coalition of citizens' groups that oppose the Mall, had this to say about the State review. "Look at what Gov. Dukakis did in Massachusetts. He stepped in and took a position in opposition to a (Pyramid) Mall in Lennox. That's the kind of stand that Gov. Snelling could take, and he hasn't.

At the Old Brick Church in Williston on the night the citizens' coalition against the Mall was formed -- Sen. Robert Daniels of Chittenden County wondered aloud about Gov. Snelling's inability or unwillingness to make a distinction between the Executive and Judicial branches of State Government. Daniels argued that it was entirely appropriate for Vermont's Chief Executive to take a position on the Pyramid Mall question. Said Daniels, "The State of Vermont ought to get their position together and argue the public interest before the District Environmental Commission."

Peter McDevitt, a Williston Selectman who is a strong opponent of the Mall, was even more outspoken in his comment. "When you are neutral," said McDevitt, "you do nothing. To be neutral means that you support the project." McDevitt continued. "I think the Snelling Administration's effort to date has been weak. The thing could be over by the time the Administration gets involved in it."

Mayor Gordon Paquette of Burlington had a similar kind of comment. "I am concerned," he said, "about how the State is treating this. The Governor is taking this very lightly." Paquette questioned whether the Governor understood the kinds of problems that a Pyramid Mall could cause.

Paquette spoke about federal dollars that have been and are being spent in Burlington, \$20 million in capital expenditures over the past 20 years, and more recently, -- \$450,000 already committed from the Urban Mass Transportation Authority and the National Endowment for the Arts for a Church Street Mall, \$40,000 from the National Endowment for the Arts plus matching money for

a study of the Burlington waterfront, \$1.7 million for a municipal parking garage, \$250,000 from HUD for grants and loans to low-income people for home improvements. All in all, this is a staggering amount of money. Said Paquette in summary, "We are spending federal dollars to bring the City of Burlington to life and we as a State will let something like Pyramid Mall happen."

Schuyler Jackson, past Chairman of the State Environmental Board, now a legal consultant to the Montreal-based development company, Mondev, Inc., (a firm that has business interests in downtown Burlington), looks at the remarkable growth in Chittenden County as a new kind of occurrence in Vermont. "What is interesting about Burlington," said Jackson, "is that this development is **macrocosmic** in scale." What Jackson means is that it is hardly possible anymore in Chittenden County to look at the consequences of individual development projects in isolation. "What South Burlington does," explained Jackson, "has great impact on what happens in Hinesburg. This is a new phenomenon in Vermont. The County is exploding with growth."

Jackson sees the proposed Pyramid shopping mall as the kind of project that Act 250 was designed to review, a project that will have irreversible impacts on Chittenden County for years to come, and a crucial test of the State's fundamental land use and development control law.

Jackson looks at the State's response to date. It is seven years since the passage of Act 250. And here is the State scrambling to put in place an ad hoc system for achieving systematic review of a large problem. "You have to construct the apparatus," said Jackson. "You have to identify and employ experts." Jackson describes the State as the chief provider of services and capital improvements and he is calling for the State to be "very aggressive in analysing the cost" of the Pyramid project.

Over at the Agency of Environmental Conservation in Montpelier, the two attorneys who will handle the State's presentation in the Pyramid case tried to be reassuring.

One of these attorneys, Stephen Sease, Land Use Administrator for the Agency, answered a number of questions about the State's role in the Pyramid proceedings.

(Question) "Will the Pyramid application tax the resources of the State in applying the criteria of Act 250?"

(Answer) "I don't know. I don't think it will tax our technical people's resources. I can only answer for our Agency.

(Question) "Would the Agency of Transportation give a thorough review to the Pyramid application?"

(Answer) "I don't think the Transportation Agency is going to do a superficial review of the project."

(Question) "Do you have sufficient money to spend on the review of the Pyramid application?"

(Answer) "I don't know."

The second attorney in the State's presentation on the Pyramid Mall project is John Ponsetto, Assistant Director of the Agency of Environmental Conservation. Ponsetto will be coordinating the State review of the Pyramid application. Ponsetto defended the quality of the State's review. He declared that he was not worried about pressures of time, that a lot of work had been done already, and he said, "I am not going to be sitting there watching the State embarrass itself."

In all of these questions that are being raised about the seriousness of the State's handling of the Pyramid project, there are new signs that the State may be rising to the challenge of the Pyramid application.

A source close to the State's legal deliberations reports encouraging developments on this front. Apparently the State is at least beginning to ask the right questions about the Pyramid application and there are three important market studies in the works.

One of these studies is being conducted by a consultant for the Chittenden County Regional Planning Commission. This study will reveal where the people would come from who would shop at the Mall. Data from this study will help planners analyse the impacts of the Mall on highways and other municipal and state services. A second study will analyse both the positive and negative fiscal impacts of a Pyramid Mall on all the towns in Chittenden County. A third study will examine the fiscal impacts of a Pyramid Mall on cities and towns outside of Chittenden County.

The decisive moment of truth for the State will be what happens during the environmental hearings. But the test of the State's intentions is occurring now in decisions that are being made to take or not to take the time, to spend or not to spend the money to hire the technical expertise that will be needed to answer the Pyramid application. Some of the questions posed by the Pyramid application are commonplace considerations. But some of the questions being raised by the Pyramid project are new, will take time to address, will break new ground, will cost money to investigate.

Is the State willing to go this far in meeting the Pyramid challenge? As yet, no-one knows, at least no-one is saying.



MORNING PROGRAM & BOARD ELECTIONS

Trip: Molly Bog

(1) MOLLY BOG, Stowe

Molly Bog is located in the Stowe Valley lowlands to the east of Mt. Mansfield. According to a UVM publication on natural areas, Molly Bog is unlike other bogs in the Stowe area. Biologically it is "...still in the early stages of plant succession and, therefore, affords a unique opportunity to study the successional sequence as it occurs." Molly Bog is owned and managed by the University of Vermont.

Meeting Place: Participants will meet near the point on Route 100 where the trail to the Bog begins. This is near the Stowe-Morrisville town line, three miles north of the Stowe Village center. At this location there is a turnout on the western side of the highway where it is hoped we can leave our cars. The walk in along the trail is about $\frac{3}{4}$ of a

mile. Meeting time will be 9:30 a.m.

What to Bring: The trip will go, rain or shine. So check the weather forecast and dress accordingly. Remember the weatherman is not always 100 percent accurate. So bring rain gear in any event. Because we will be walking in ankle-deep water much of the time, old sneakers or waterproof boots should be worn. On a cold day, waterproof boots are more comfortable. Bring a camera and/or binoculars if you wish.

Leader: Our trip leader will be Robert Klein, Director of the VNRC Natural Areas Project for the past several years. Bob is a graduate of the environmental program of the Duke University School of Forestry.

Trip: Summit of Mt. Mansfield

(2) SUMMIT OF MT. MANSFIELD

The summit ridge of Mt. Mansfield contains the largest single expanse of alpine vegetation in the State, and is one of Vermont's most outstanding natural areas. The alpine tundra abounds with bilberries and highland rushes, the same species of plants that are found two thousand miles to the north of Vermont in eastern Canada. Of special interest are several small peat bogs located along the ridge.

Meeting Place: Participants will assemble at 9:30 a.m. in the parking lot at the Toll House on the Mountain Road in Stowe. Here passengers will consolidate into a smaller num-

ber of cars for the drive up the Toll Road to the summit.

What to Bring: The trip will go, rain or shine, but even if it shines, be prepared for showers and fog on the summit. Dress warmly. Wear sweaters, wool shirts and wind-breakers. Sturdy walking shoes are recommended. Camera and binoculars, of course.

Leader: Dr. "Hub" Vogelmann, Professor of Botany at the University of Vermont, will lead the trip on the summit ridge of Mansfield. Hub has an intimate understanding of the ecology of Mt. Mansfield and his presence as guide and interpreter will make this trip a memorable occasion.

Trip: Whole-Tree Harvesting Site

(3) WHOLE-TREE HARVESTING SITE, South Duxbury

During August and September, VNRC will be participating in a demonstration project on private woodland in South Duxbury, Vermont. The object of the project is to assess the environmental impacts of whole-tree harvesting. The harvest site in South Duxbury will be the target of a field trip on September 10. There is a possibility that the whole-tree harvesting equipment will be operating on September 10, even though it will be a Saturday.

Meeting Place: We will meet at the parking lot of Harwood Union High School at 9:30 a.m. The High School is in South Duxbury on Route 100, approximately one mile from the intersection of Routes 100 and 100 B. From there, we will travel in groups to the harvest site three miles away.

What to Bring: The trip will go, rain or shine. So check the weather forecast and dress accordingly. It could be chilly in the woods even if the weather is fine. You'll probably want sturdy footwear.

Leader: Darby Bradley, VNRC's Staff Counsel and Director of the Environmental Law Service, will lead the trip to the harvesting site. Bradley is a member of the Governor's Forest Resources Advisory Council (FRAC) and has chaired the FRAC subcommittee on whole-tree harvesting. Bradley has played a major role in organizing the whole-tree harvesting demonstration project and has worked closely with State foresters, landowners and equipment manufacturers. He is in a unique position to explain the significance of the demonstration project and to lead a field trip through the harvesting site.

A Discussion Group

"STOWE EXPERIENCE WITH PLANNING & ZONING"

Over a number of decades the Town of Stowe has experienced considerable development because of its attractiveness, in the first instance, as one of the finest and most successful ski areas in the East, and later, as a popular all-seasons resort.

The pressures of development have made it necessary for Stowe to look to its Planning Commission to anticipate the needs of the area and to plan for growth. In the September 10 discussion group, VNRC members will be able to review the problems and opportunities of a growing municipality and to observe how the Town of Stowe has responded to these changing circumstances.

Meeting Place: This discussion group will meet in Stowe's Memorial Hall (Town Hall) in the center of Stowe Village on Route 100. The discussion will begin at 9:45 a.m.

Leader: Laurence P. Heath, Chairman of the Stowe Planning Commission, will lead the discussion group. Mr. Heath has lived in Stowe for 24 years. He has been active in business and civic affairs. He knows the history of the Stowe area. In addition to his many years of service on the Town Planning Commission, Mr. Heath has been past President of the Stowe Area Association, the Stowe Rotary Club, the Stowe Country Club and the Vermont Hotel-Motel and Restaurant Association.

At-Large Candidates

AT-LARGE CANDIDATES (Vote for 5)

EDWARD W. CRONIN, JR. (LYNDON CENTER)

Vice-President of Environmental Concerns International, Inc. of West Burke, Vermont. Teaches ornithology at Lyndon State College and is writing a book on environmental problems of the eastern Himalayas. He is active with the Vermont Institute of Natural Science and coordinates their Atlas Bird Breeding Project in the Northeast Kingdom. His interests lie in environmental education and information and he has had considerable experience with radio, school programs and the print media.

PATRICIA HIGHBERG (WOODSTOCK)

She has worked with the Vermont Institute of Natural Science as program director and photographer. She is presently taking courses in forestry and is managing a woodlot that she and her husband own. Educated at Smith College, she has long been a member of the Sierra Club, The Nature Conservancy, the American Forestry Association and Planned Parenthood of Vermont.

A. JOHN HOLDEN, JR. (EAST MONTPELIER)

Member of the VNRC Board of Directors and Executive Committee. Vermont schoolteacher, Superintendent of Schools and Commissioner of Education for 16 years. Graduate of Harvard College. Taught at Middlebury College. Served as Acting President of Lyndon State College and now teaches "Man and Nature in Vermont History" at Johnson State College. Chairman of District Environmental Commission No. 5.

MARK B. LAPPING (HYDE PARK)

Acting Director of UVM Environmental Program. Holds Ph.D. in Urban and Environmental Studies from Emory University. He has taught at Virginia Polytechnical Institute, the Forestry School at the University of Missouri, the State University of New York at Plattsburgh, and most recently at Johnson State

College. He is a specialist in rural land use problems and has served as consultant to the Vermont State Planning Office and the Agency of Environmental Conservation. He is author of numerous articles and monographs in planning and environmental journals.

PETER B. SMITH (BELMONT)

Member of the VNRC Board of Directors, Executive Committee and Public Lands Committee. He has been active in the management of the family cheese manufacturing business. Holds Ph.D. in Mammology from the University of Vermont. He has served on the Mt. Holly Planning Commission. He has been an Instructor for the Student Conservation Association's summer ecology camps for several years. He is a member of the Sierra Club's National Wilderness Committee and is on the Board of Directors of the Conservation Society of Southern Vermont. He was deeply involved in the fight against the establishment of an exotic game farm in Mt. Holly several years ago.

JOHN von BEHREN (WOLCOTT)

Assistant Director of the Lamoille County Development Council and Executive Director of the Association to Boost Lamoille Enterprises. He holds a Bachelor's Degree in Psychology from Cornell University and is interested in land use policy issues, property tax reform, and the use of wood as a source of energy.

WESLEY P. WARD (WEST BRATTLEBORO)

Staff member of Windham Regional Planning and Development Commission. In September he will establish a land use planning consultant firm. He holds a B.A. from Marlboro College. He has served with VISTA and on the staff of Marlboro College. He is interested in community development, landscape analysis, and open space and natural area protection. He is a member of the American Society of Planning Officials, the American Institute of Planners and the Audubon Society.

Member Organization Candidates

MEMBER ORGANIZATION CANDIDATES (Vote for 2)

E. CHANDLEE ARCHER (WILLISTON)

(Nominated by the Lake Champlain Committee)

Retired banking executive who presently represents the Lake Champlain Committee on the VNRC Board of Directors. Serves as a Loan Consultant to the Howard Bank and is Co-Chairman of the Lake Champlain Committee. Also a member and Director of the Green Mountain Audubon Society.

SHAUN BENNETT (RICHMOND, NEW HAMPSHIRE)

(Nominated by the Experiment in International Living)

Acting Director of the World Issues Program of the School for International Training in Brattleboro. He has taught environmental subjects at the Vermont Environmental Center, Dartmouth and Middlebury Colleges, and at the Putney and Harrisville (N.H.) campuses of Antioch Graduate School. He holds a Ph.D. from Dartmouth College and has written extensively on environmental and ecological subjects in *Vermont Life*, *Country Journal*, and *Yankee*.

WILLIAM CHRISTIANSEN (EAST ST. JOHNSBURY)*(Nominated by the Fairbanks Museum & Planetarium)*

A senior staff member of the Fairbanks Museum since 1968. He has responsibilities in education, exhibits and public programs. Taught in the St. Johnsbury High School. Broadcasts daily weather and natural science program on Radio Station WTVN. Holds B.S. degree in Mathematics from Lyndon State College and has attended graduate school at the University of Michigan and UVM.

ARTHUR H. JONES (MORGAN)*(Nominated by the Seymour Lake Association)*

Member, State Board of Education. Served in the Vermont Senate from 1967 to 1974. He was Chairman of the Senate Natural Resources Committee for three terms. He served on the Governor's Commission on Environmental Control and on the Board of Trustees of the University of Vermont. Currently a Director of the Vermont Lung Association and Moderator of the Town of Morgan. Graduate of Princeton, Harvard and MIT.

EMERSON J. MILES (WILLISTON)*(Nominated by the Vermont Association of Snow Travelers)*

Road Commissioner for the Town of Williston. Member and past Master of the Thomas Chittenden Grange. He has

served as County Director and Vice-President of VAST. He is an antique car hobbyist and is interested in hunting and fishing.

MICHAEL WEINBERGER (HARTLAND)*(Nominated by the Vermont Chapter of the American Institute of Architects)*

Practicing architect in Woodstock. B.Arch. from the University of California, Berkeley. Assistant Professor of Design at Rensselaer Polytechnic Institute School of Architecture. He is a member of the Vermont Institute of Natural Science, the Audubon Society and the Sierra Club. He is an advisor to the Vermont Council on the Arts.

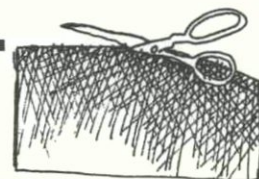
FRANCIS WHITCOMB (SOUTH ALBANY)*(Nominated by the Vermont Maple Sugar Makers Association)*

Farmer and maple sugar maker. Formerly taught school and served as school principal. He holds a B.A. from Bard College and an M.S. in Conservation from the University of Michigan. He served in the Air Force during World War II. He is a member of the Sierra Club and the National Wildlife Federation. He is interested particularly in land use issues, conservation education and forest management.

registration :

() I/WE WOULD LIKE TO PARTICIPATE IN THE V.N.R.C ANNUAL MEETING.

\$_____ IS ENCLOSED FOR EACH RESERVATION, AT 5.00 EACH.



field trips

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discussion

..

luncheon

INDICATE BELOW THE NUMBER OF PARTICIPANTS FOR EACH TRIP, DISCUSSION GROUP AND THE V.N.R.C LUNCHEON.

____ MOLLY BOG (limit 15 persons)

____ CHIP HARVESTING DEMONSTRATION SITE (Duxbury)

____ MT. MANSFIELD

____ STOWE PLANNING & ZONING DISCUSSION

LUNCHEON • THERE WILL BE _____ PERSONS ATTENDING THE 12 NOON V.N.R.C ANNUAL MEETING & LUNCHEON AT THE TRAPP FAMILY LODGE IN STOWE.

NAME _____ TELEPHONE _____

ADDRESS _____ ZIP _____

ORGANIZATION NEWS

VNRC Members Invited to September Meeting of VNRC Board of Directors

The Vermont Natural Resources Council would like to remind its members that they are welcome to attend all VNRC Board meetings. The next meeting of the VNRC Board will be September 14, at 1:00 p.m. at the Vermont Federal Savings and Loan Building, 99 State Street, Montpelier, Vermont.

Lake Champlain Committee Moves Its Office

The Lake Champlain Committee has announced that their office has been moved, effective July 29, 1977, to 80 St. Paul Street, Burlington, Vermont, 05401.

ATTENTION PLEASE: POSTAL RETURN COSTS!

VNRC has to pay 25 cents every time a piece of mail is returned because of an incorrect address. Please send us notice of a change of address as soon as possible (and your old VER label.) We would appreciate this cooperation.

VNRC Board Votes Active Role in Pyramid Case

At its July 14, 1977 meeting, the VNRC Board of Directors voted to become actively involved in the Pyramid Mall application in two ways. First, the Council will participate in the Act 250 permit proceedings by rendering legal counsel through the VNRC Environmental Law Service to a coalition of citizens' organizations that is opposing the Mall. Second, VNRC will use the Pyramid case to raise the broader issues of land use planning in the State.

THANKS:

The Vermont Natural Resources Council would like to thank those members who have responded to our recent appeal letter on Pyramid Mall. Acknowledgement letters will not be sent as we believe the funds should be spent on substantive effort. We hope you will agree.

VNRC

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THIS ISSUE • AUGUST • 1977 • No. 66

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ADDRESS CORRECTION REQUESTED

VERMONT NATURAL RESOURCES COUNCIL, 26 STATE STREET, MONTPELIER, VERMONT