

**WATERBURY PLANNING COMMISSION**  
**APPROVED MINUTES**  
**Monday, January 26, 2015**

Planning Commission Members present: Rebecca Washburn, Chair, Judi Kamien, Jeff Kampion  
Staff present: Steve Lotspeich, Community Planner

The meeting was opened at 7:06 p.m.

**AGENDA REVIEW**

There were no changes made to the agenda.

**COMMENTS FROM THE GENERAL PUBLIC**

There were no comments received from the public at this time.

**FLOOD HAZARD AREA REGULATIONS - RE-WRITE**

Prohibited development was discussed, especially as it relates to development in the floodway. It was noted that we are not aware of any existing structures located in the mapped floodway. The matrix currently prohibits all development and structures in the floodway except critical facilities that may include structures for the Village's water supply and wastewater system. In addition, grading and excavation for stormwater facilities is allowed in the floodway.

The Commission continued working on filling in the blank boxes in the matrix. Site fill in the 500-yr. floodplain was discussed. It was agreed that both site fill, and grading and excavation in the 500-yr. floodplain should be regulated and should not elevate the BFE in the 100-yr. floodplain.

The issue of whether to allow filling basements and require compensatory cut was discussed. Doing compensatory cut in a densely built up area with smaller lots would be very difficult in many cases. The state's policy is to facilitate filling basements in order to reduce flood insurance costs and promote flood resiliency. The benefits of getting various pollutants such as fuel or other materials, out of basements is significant. There may be cases where a walk-out or drive-out basement makes sense and could include lower level parking. These situations could be handled through a regulatory process if basements in the 100-yr. floodplain are allowed only under certain conditions such as adequate floodproofing.

The review standards for historic structures that are substantially improved were discussed. It was agreed to establish a variance process for the substantial improvement of historic structures with the condition that they meet certain development standards that are in Section 605(a)(2)(A-J) in the current draft. This process would replace the current process where the definition of "substantial improvement" exempts historic structures from the substantial improvement review standards resulting in a review process that is very basic with minimal requirements for making historic structures more flood resilient.

**ACTION ITEMS:**

1. Look at examples of regulations from other municipalities to see how they handle a no net rise to the BFE bylaw. There needs to be consideration that there is no adverse impact to neighboring and nearby properties.
2. The issue of filling basements and whether to exempt it from the no net rise bylaw should

- be discussed with Rebecca Pfeiffer with the State of Vermont.
3. Look at the definition for “basements” located in the Flood Hazard Area and consider having the same definition for the Flood Hazard Area Regulations as the definition for “basements” in all other areas.
  4. For the next meeting, Steve will continue to draft regulation updates/revisions using the current matrix.

**REVIEW OF MINUTES**

**MOTION:**

Jeff Kampion moved and Judi Kamien seconded the motion to approve the Planning Commission minutes from January 12, 2015.

**VOTE:** The motion passed unanimously.

**PLANNER AND ZONING ADMINISTRATOR’S REPORTS**

Steve distributed the following Zoning Administrator’s Report for December 23, 2014 to January 26, 2015 from Ryan Morrison and it was discussed.

**TOWN ZONING PERMITS**

Permit #	Applicant/Owner	Date Submitted	Location/Project	Action
01-15-T	Kelley Hackett	1/6/2015	340 Fuller Acres (in-home childcare)	DRB hearing Feb 4, 2015
02-15-T	Robert Aughey	1/22/2015	3595 Wat-Stowe Road (mini-storage - 5 buildings)	DRB hearing Feb 18 2015

**VILLAGE ZONING PERMITS**

Permit #	Applicant/Owner	Date Submitted	Location/Project	Action
01-15-V	Chad Rich	1/12/2015	2 Elm Street (sign)	Approved
02-15-V	Sylvia Aylward	1/21/2015	29 Stowe Street (change of use into café)	DRB hearing Feb 18 2015

**DRB DECISIONS**

Permit #	Applicant/Owner	Decision Date	Location/Project	Action
64-14-T	USINE LLC	1/7/2015	11 Cabin Lane (coffee roasting facility)	Approved
66-14-T	Crescent Ridge Development LLC	1/21/2015	Lot 1 Ring Road (Single Family Dwelling in RHS)	Approved

**OTHER**

Continued work for Waterbury's inclusion into the FEMA's Community Rating System  
 Maintain list of recommended zoning changes ready for 2015 re-write  
 NEMRC program for Zoning & Planning - installed on Dec. 23, 2014

Steve will circulate the minutes for the Floodplain Management Group meeting held on the morning of January 26<sup>th</sup> to the Commission members via e-mail to brief the Commission on the current activities of that group.

**ADJOURNMENT**

The Planning Commission meeting was adjourned at 9:05 p.m.

Respectfully submitted,



Stephen Lotspeich  
Community Planner

These minutes were approved on \* March 9, 2015 \*