

WATERBURY PLANNING COMMISSION
APPROVED MINUTES
Monday, February 9, 2015

Planning Commission Members present: Rebecca Washburn, Chair, Ken Belliveau, Mary Koen, Judi Kamien, Jeff Kampion

Staff present: Steve Lotspeich, Community Planner; Patti Spence, Secretary

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 public present.

FLOOD HAZARD AREA REGULATIONS - RE-WRITE

Steve reported that he had a conversation with Rebecca Pfeiffer to discuss issues that were brought up at the January 26th Planning Commission meeting including the following:

1. compensatory storage
2. non-conforming structures
3. benefits of allowing some flexibility in the regulations - such as regulating fill placed in basements
4. development that has minor impact with major benefits such as filling in basements
5. techniques typically used for the analysis of the impact of development on the elevation of the base flood elevation (BFE)

Flood hazard regulations from other communities have been reviewed by Steve and Ryan Morrison, Zoning Administrator. This gave them examples of language and how regulations have been written in other Vermont communities. The state Agency of Natural Resources also has developed the Vermont Flood Hazard Area and River Corridor Rule for development that is exempt from local zoning regulations. This development includes agricultural structures. The language relating to compensatory storage is a useful model to draw on for our draft.

The current draft was distributed and reviewed. After tonight's meeting it can be forwarded to the Trustees and Selectboard for their review.

Reviewed:

1. Page 5 - (2)(E) statement: "Adequately drained to reduce exposure to flood hazards - change to "provide adequate drainage to reduce exposure to flood hazards"
 1. Page 6 (3) - take out the word "community" and replace with "special flood hazard area"
 2. Page 7 (6) - the use of the word variance was discussed vs. the word waiver
 3. Be sure that the language regarding variances and Article VI, Section 611 and the language being written in page 7 (6) are not conflicting
 4. Page 7 (8) - discussed the 5,000 sq. ft. reference. Is that number too large? Judi feels 5,000 is the wrong number to use and it should be 2,500 or 3,000 sq. ft. A lot of discussion revolved around this number and whether it should be changed. 5,000 sq. ft. would include many of the historic buildings in the Village of Waterbury that are in commercial use.

5. Page 7 (10) – language was added regarding compensatory storage and alternate flood attenuation methods.
6. Page 7 (10)(E)(i) - size for accessory structure - is 500 sq. ft. too large? Questioned the use of the word minimal.

ACTION ITEMS:

1. Ask Roy Schiff about additional modeling for the potential impact of filling in basements.
2. A new map is going to be needed delineating the 500 yr. floodplain since the existing FEMA Flood Insurance Rate Map (FIRM) is based on limited topographic information and the mapping of the 500-yr. floodplain is not adequate. That makes the map that Milone and MacBroom has produced the best map the Town currently has access to for the 500-yr. floodplain in the Village of Waterbury. What is the recommendation for a new map?
3. What are the steps to move forward with the regulations for the 500 year floodplain and when/how should they be presented to the Trustees and Selectboard?
4. Does the Planning Commission have the legal authority to regulate the 500 year floodplain?
5. Follow up on page 7 (6) regarding historic structures and exemption vs. variances - get legal advice/opinion.
6. For the next meeting, Steve will continue to draft regulation updates/revisions using the current matrix and the input from tonight.
7. There needs to be a joint meeting scheduled with the Trustees and the Selectboard. That meeting was suggested for Feb. 12th, Feb. 16 or Feb. 19th. Steve to confirm.

ADJOURNMENT

The Planning Commission meeting was adjourned at 9:15 p.m.

Respectfully submitted,



Patti Spence
Secretary

These minutes were approved on March 9, 2015.