

**WATERBURY PLANNING COMMISSION, SELECT BOARD, TRUSTEES
SPECIAL JOINT MEETING**

**Approved Minutes
Monday, November 23, 2015**

Planning Commission: Rebecca Washburn, Chair; Mary Koen, Judi Kamien, new member Sarah McShane

Village Trustees: Skip Flanders, Chair; Lefty Sayah, Natalie Howell-Sherman

Town Select Board: Chris Nordle, Chair, Don Schneider, Jane Brown

Staff present: Steve Lotspeich, Community Planner; Patti Spence, Secretary; Bill Shepeluk, Municipal Manager

Public Present: Kathryn Grace, Pete Martel, Kathleen Daye, Zoe Gordon, Jason Gibbs, Todd Pudvar, Jen Lane

Skip Flanders called the Trustees meeting to order at 6:49 pm.
Chris Nordle called the Select Board meeting to order at 6:49 pm

SELECTBOARD AGENDA REVIEW

Selectboard:

Don Schneider moved and Jane Brown seconded the motion to approved the agenda as presented.

6:50 p.m. - The interview of Planning Commission applicant Sarah McShane took place. The open term on the PC expires 4/1/2017.

SELECTBOARD BUSINESS

Motion:

Jane Brown moved and Don Schneider seconded to approve Sarah McShane for the open Planning Commission position expiring April 1, 2017.

Rebecca Washburn called the Planning Commission (PC) meeting to order at 7:04 pm
Welcoming new member Sarah McShane to the Board.

PC AGENDA REVIEW

Mary Koen asked for the agenda item at 8:30 pm be moved up so that Chris Nordle could participate.

COMMENTS FROM THE GENERAL PUBLIC

Kathy Grace presented a letter to the Planning Commission, attached to these minutes.

DISCUSS WATERBURY FLOOD HAZARD AREA REGULATIONS, DRAFT #2

1. PC felt that after the last public hearing, on Nov. 9, which had good attendance, that the majority of the discussion were based around the proposed regulation"

"New buildings must be elevated so that the lowest floor is at least one foot above the 0.2% chance flood (500-year flood level). This exceeds the federal minimum standard that requires that new buildings be elevated to at or above the 1.0% chance flood (100-year level). on new structures and that they be 1 foot above the 500 year floodplain level."

Skip Flanders:

Thinks the "substantial damage" should be further clarified that it is the value of the "STRUCTURE" and does not include the land.

Chris Nordle:

1. Can the definitions that are federally regulated be changed or just further clarified.

Skip Flanders:

1. Further clarify the parts about the components of the utilities and electrical.
2. What specific part of the plumbing does "the plumbing components" refer to.
3. Focus on costs related to improvements in section D, page 9.

Chris Nordle:

1. Concern with prohibiting any rise in BFE and requiring a BFE that exceeds minimum FEMA standards.
2. Variance section - Page 16, section b - add "The requirements in VSA section 4469a do not apply"
3. Section 610a - concerned there is a conflict with Federal regulations. This was clarified by the PC.. 610a could add the language similar to what was drafted in #2 above.
4. Have the new language confirmed by David Rugh.

Project Consultant

1. Consider that new construction be 2 feet above the 100 yr floodplain vs 1 foot above the 500 yr floodplain

PLANNING COMMISSION DELIBERATION

1. Consider 3 feet above the 100 yr floodplain vs 1 foot above the 500 yr floodplain
2. Consider "at" the 500 yr floodplain

ACTION

1. Steve will update the draft with tonight's changes
2. Steve will provide some lot examples with the variables of building above the various floodplain levels

DISCUSS PUBLIC COMMENT ON DRAFT #1 OF THE PROPOSED CAMPUS & DOWNTOWN AREA ZONING BYLAW AMENDMENTS DATED OCTOBER 19, 2015,

1. At the public hearing the PC was asked to consider an alternative height to the proposed 50' maximum height limit.
2. Section 1303 (a) - the maximum coverage is a challenge for some.
3. Section 1303 (a) - the minimum lot size, 10,000 square feet - consider a smaller lot size.
4. A question was raised to consider how much of the building could be at the 50' maximum. There is no restriction on this but there is a design standard that would set a discretionary visual standard.

MOTION:

Judi Kamien moved and Mary Koen seconded to approve Draft #1 of the Campus & Downtown Area Zoning Amendments, dated October, 19, 2015, with the following changes

1. The minimum lot size be changed from 10,000 to 6,000 square feet. (section 1303(a))
2. The maximum coverage be changed from 30% to 40%.

VOTE: Passed unanimously

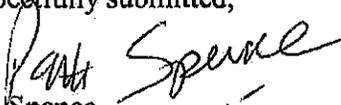
ADJOURNMENTS

The Selectboard portion of the meeting adjourned at 8:15 pm when they no longer had a quorum.

The PC meeting was adjourned at 9:20 pm

The Trusttes meeting was adjourned at 9:20 pm

Respectfully submitted,


Patti Spence
Secretary

144 South Main St.
Waterbury, Vt. 05676
November 23, 2015

Dear Select Board Members and Village Trustees,

I want to thank the Planning Commission once again for all their hard work revising the Flood Hazard Regulations and the efforts they have made to base them on current climate change research and river science data as well as the resounding lessons we learned from Hurricane Irene.

Over the past two years, the Planning Commission has also sponsored numerous meetings and outreach sessions where the public and your Boards could hear this information, and ask questions if deemed necessary. Their recent public meetings and hearings brought representatives from the State Complex as well as a few local developers and engineers who were noticeably absent from the educational hearings conducted by the Planning Commission over the past 24+ months.

In contrast, several individuals whose homes lie in or near the flood plain, participated in several (if not most) of those meetings. We listened intently as the research spoke to the future dangers of overbuilding in the flood plain – an area so greatly needed for flood storage to help reduce the damage to our beloved historical homes that line the streets of this historical Village.

Although there were differing opinions at the most recent public meeting that I attended, most in attendance seemed to agree with the proposed flood regulations governing the 100 year flood plain. This includes but is not limited to zero net rise in the BFE which was the regulation in effect for nearly two decades until March of 2011 – a mere five months before Hurricane Irene struck our vulnerable town.

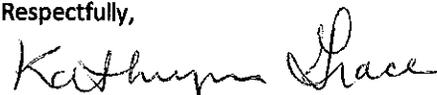
At that time, the Select Board chose to ignore the near unanimous urging of the Planning Commission to keep the BFE at zero after nearly two years of research and work with Ned Swanberg – the Vermont Flood Plain Coordinator at the time. Instead, your predecessors appeared to listen to the last minute plea of developers and engineers who fought to continue their overbuilding and overfilling the diminishing floodplains of the Village.

I am well aware that the Planning Commission is “just” an advisory board to the Select Board. However, I am also well aware that the Select Board and Trustees were elected to represent the best interests of the majority of its inhabitants and not just those holding the most political and financial clout in our town.

In contrast to the March 2011 actions of your predecessors, I am hopeful the current Select Board and Trustees will quickly accept the diligent work and recommendations of this Planning Commission so the ratification process won't be dragged out into the New Year. Each month that passes with the current bylaws in place puts the most vulnerable Village residents at even more risk of being flooded by potentially devastating new development. I am not sure that the flood victims of this town can financially, physically and/or emotionally survive another flood – no matter how large or how small.

The data is overwhelmingly *clear*. The stakeholders have *clearly* spoken. But.....the consequences of prolonged inaction are the *clearest* of all.

Respectfully,



Kathryn Grace, Village resident

Cc: Minutes of Joint Select Board-Trustee-Planning Commission meeting dated 11/23/15